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THIRD EXTRA SESSION

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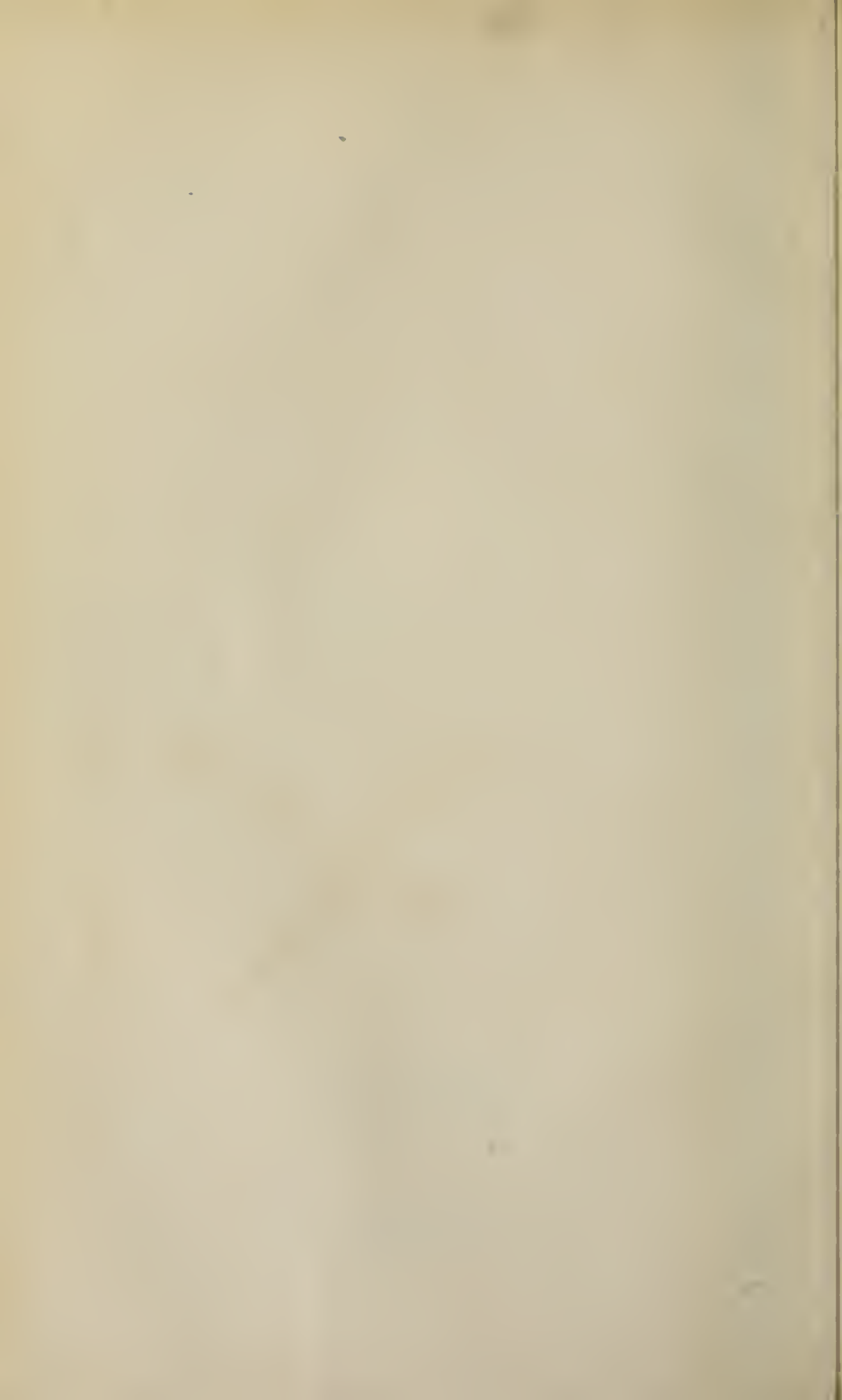


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# JOURNALS

OF THE

# SENATE AND ASSEMBLY

CALIFORNIA LEGISLATURE

FIFTY-THIRD (THIRD EXTRAORDINARY) SESSION

SEPTEMBER 13, 1940



LIEUT. GOVERNOR ELLIS E. PATTERSON  
PRESIDENT OF THE SENATE

HON. GORDON H. GARLAND  
SPEAKER OF THE ASSEMBLY

SENATOR JERROLD L. SEAWELL  
PRESIDENT PRO TEMPORE OF THE SENATE

HON. GARDINER JOHNSON  
SPEAKER PRO TEMPORE OF THE ASSEMBLY

JOSEPH A. BEEK  
SECRETARY OF THE SENATE

JACK CARL GREENBURG  
CHIEF CLERK OF THE ASSEMBLY



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**CALIFORNIA LEGISLATURE**  
**FIFTY-THIRD (THIRD EXTRAORDINARY) SESSION**

# SENATE DAILY JOURNAL

## IN SENATE

SENATE CHAMBER, SACRAMENTO,

Friday, September 13, 1940.

The Senate met at two o'clock p.m., pursuant to the provisions of the proclamation of His Excellency, Culbert L. Olson, Governor of the State of California, dated September 11, 1940, convening the Legislature of the State of California on this day in extraordinary session.

Lieutenant Governor Ellis E. Patterson, President of the Senate of the Fifty-third Session, in the chair, called the Senate to order.

Pursuant to the provisions of section 237 of the Political Code, Joseph A. Beck, Secretary of the Senate, James Boyd Garrison, Minute Clerk, and Joseph F. Nolan, Sergeant-at-Arms, were present and occupied their respective positions.

The roll was called, and the following Senators answered to their names:

Senators Biggar, Breed, Collier, Crittenden, Cunningham, DeLap, Deuel, Fletcher, Foley, Garrison, Gordon, Hollister, Holohan, Keating, Kenny, Mayo, McBride, McCormack, Mixer, Myhand, Nielsen, Phillips, Rich, Seawell, Shelley, Slater, Swing, Tickle, and Wagye—29.

### Prayer.

By invitation of the President, prayer was offered by the Rev. A. Raymond Grant, Chaplain of the Senate of the fifty-third session.

### Leave of Absence.

Senator Brown was, on motion of Senator Foley, granted leave of absence for this day.

Senators Powers, Parkman and Hays were, on motion of Senator Seawell, granted leave of absence for this day.

### Proclamation of the Governor.

The President of the Senate directed the Secretary of the Senate to read the proclamation of the Governor convening the Legislature in extraordinary session.

Whereupon the Secretary read the following proclamation:

**Proclamation.**

Executive Department, State of California.

WHEREAS, An extraordinary occasion has arisen and now exists, requiring that the Legislature of the State of California be convened; now, therefore,

I, Culbert L. Olson, Governor of the State of California, by virtue of the power and authority in me vested by section 9 of Article V of the Constitution of the State of California, do hereby convene the Legislature of the State of California to meet and assemble in extraordinary session, at Sacramento, California, on Friday, the thirteenth day of September, one thousand nine hundred and forty, at two o'clock p.m. of said day, for the following purposes and to legislate upon the following subjects, to wit:

1. To consider and act upon an act providing an appropriation for the 92d fiscal year to the Relief Administrator and Relief Commission for the relief of hardship and destitution due to and caused by unemployment to be expended by the Relief Administrator and Relief Commission in accordance with the provisions of the California Unemployment Relief Act of 1935 for the relief of persons qualifying thereunder.

2. To consider and act upon legislation providing for the establishment and organization in the executive department of the State government of a California State Council of Defense, to be appointed by, and to act under the direction of, the Governor, in accordance with the plans of the Council of National Defense and its Advisory Commission and of other agencies of the United States Government, with power to plan for the mobilization of agricultural, industrial, communication and transportation facilities, for the preservation of the public peace, health, safety, and welfare, for the protection of individual rights and consumer interests, for the suppression of sabotage and subversive activities, to cooperate with similar agencies authorized to be established in the cities and counties, to formulate a program of State and local government participation in the national defense program, to gather and disseminate information in regard to such participation, to integrate State and local programs with the national program, to make adjustments necessary for the prompt assimilation and unification of such programs, and to coordinate properly governmental and private agencies in the defense effort; providing for participation in the work of the California State Council of Defense by members of the Legislature; and providing for an appropriation of money to the State Planning Board and to the California State Council of Defense in the executive department of the State government for these purposes.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this eleventh day of September, A. D., one thousand nine hundred and forty.

CULBERT L. OLSON,  
Governor of California.

ATTEST: PAUL PECK, Secretary of State.

[SEAL]

**Senate Resolution No. 1.**

The following resolution was offered:

By Senator Slater:

*Resolved*, That the Senate do now organize and proceed to elect the officers and employees of the Senate for this Fifty third (third extraordinary) Session.

Resolution read, and on motion Senator Slater adopted.

**Senate Resolution No. 2.**

The following resolution was offered:

By Senator Rich:

*Resolved*, That Senator Jerrold L. Seawell be and he is hereby elected President pro tempore of the Senate; that Joseph A. Beck be and he is hereby elected Secretary of the Senate; that Joseph F. Nolan be and he is hereby elected Sergeant-at-Arms of the Senate; that James Boyd Garrison be and he is hereby elected Minute Clerk of the Senate; that Rev. A. Raymond Grant, D. D., be and he is hereby elected Chaplain of the Senate.

Resolution read.



The question being on the adoption of the resolution.

The roll was called, and Senate Resolution No. 2 adopted by the following vote:

AYES—Senators Biggar, Breed, Collier, Crittenden, Cunningham, DeLap, Denel, Fletcher, Foley, Gordon, Hollister, Holohan, Keating, Kenny, Mayo, McBride, McCormack, Mixter, Myhand, Nielsen, Phillips, Rich, Seawell, Slater, Swing, Tickle, and Wagy—27.

NOES—None.

### Oath of Office Administered.

The newly elected officers of the Senate, Senator Jerrold L. Seawell, President pro tempore; Joseph A. Beek, Secretary; Joseph F. Nolan, Sergeant-at-Arms; James Boyd Garrison, Minute Clerk; and Rev. A. Raymond Grant, D. D., Chaplain, appeared at the bar of the Senate where the constitutional oath of office was administered to them by the Honorable Rolfe L. Thompson, Justice, Third District Court of Appeal, and they subscribed to the same.

### Senate Resolution No. 3.

The following resolution was offered:

By Senator Seawell:

*Resolved*, That the Standing Rules of the Senate of the fifty-third (first extraordinary) session as the same appear on page 724 to 739, inclusive, of the Senate Journal of May 24, 1940, be and the same are hereby adopted as the Rules of the Senate for this fifty-third (third extraordinary) session.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Resolution No. 3 adopted by the following vote:

AYES—Senators Biggar, Breed, Collier, Crittenden, Cunningham, DeLap, Denel, Fletcher, Foley, Gordon, Hollister, Holohan, Keating, Kenny, Mayo, McBride, McCormack, Mixter, Myhand, Nielsen, Phillips, Rich, Seawell, Slater, Swing, Tickle, and Wagy—27.

NOES—None.

### Senate Resolution No. 4.

The following resolution was offered:

By Senator Holohan:

*Resolved*, That the members appointed to the Committee on Rules of the fifty-third (first extraordinary) session be and the same are hereby appointed members of the Committee on Rules of this fifty-third (third extraordinary) session, also that the members of the Committee on Finance, Revenue and Taxation, of the fifty-third (first extraordinary) session, be and the same are hereby appointed members of the Committee on Finance of this fifty-third (third extraordinary) session, also that the members of the Committee on Governmental Efficiency of the fifty-third (first extraordinary) session be and the same are hereby appointed members of the Committee on Governmental Efficiency of this fifty-third (third extraordinary) session, also that the members of the Committee on Social Problems of the fifty-third (first extraordinary) session be and the same are hereby appointed members of the Committee on Welfare and Institutions of this fifty-third (third extraordinary) session, and be it,

*Further Resolved*, That the chairmen of the above committees of the fifty-third (first extraordinary) session be and they are hereby appointed chairmen of the corresponding committees of the fifty-third (third extraordinary) session to which they are hereby reappointed as hereinbefore set forth.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Resolution No. 4 adopted by the following vote:

**AYES**—Senators Biggar, Breed, Collier, Crittenden, Cunningham, DeLap, Denel, Fletcher, Foley, Gordon, Hollister, Holohan, Keating, Kenny, McBride, McCormack, Mixer, Myhand, Nielsen, Phillips, Rich, Seawell, Slater, Swing, Tickle, and Wagy—26.

**NOES**—None.

### Senate Resolution No. 5.

The following resolution was offered:

By Senator Fletcher:

*Resolved*, That the President of the Senate appoint a Special Committee of three Senators to notify the Governor of the organization of the Senate for the fifty-third (third extraordinary) session and that the Senate is now ready to receive any communication he may have to make.

Resolution read, and on motion of Senator Fletcher, adopted.

#### Appointment of Special Committee.

The President announced, in accordance with the above resolution, the appointment of Senators Myhand, Foley and McBride.

### Senate Resolution No. 6.

The following resolution was offered:

By Senator Hollister:

*Resolved*, That the President of the Senate appoint a Special Committee of three Senators to notify the Assembly of the organization of the Senate for the fifty-third (third extraordinary) session and that the Senate is now duly organized and is ready to receive any communication it may have to make.

Resolution read, and on motion of Senator Hollister, adopted.

#### Appointment of Special Committee.

The President announced, in accordance with the above resolution, the appointment of Senators Hollister, Holohan and Fletcher.

### Senate Resolution No. 7.

The following resolution was offered:

By Senator Gordon:

*Resolved*, That the Secretary of the Senate is hereby directed to notify the Assembly that the Senate elected the following statutory officers of this fifty-third (third extraordinary) session:

President pro tempore.....	Jerrold L. Seawell
Secretary of the Senate.....	Joseph A. Beek
Sergeant-at-Arms.....	Joseph F. Nolan
Minute Clerk.....	James Boyd Garrison
Chaplain.....	A. Raymond Grant

Resolution read, and on motion of Senator Gordon, adopted.

### Senate Resolution No. 8.

The following resolution was offered:

By Senator Keating:

*Resolved*, That the State Controller be and he is hereby directed and ordered to draw his warrants upon the proper funds in favor of the following named Senators and officers of the Senate for the amount set opposite each of their names, and the

State Treasurer is hereby directed and ordered to pay the same, being the mileage due them by law, for attendance upon the fifty-third (third extraordinary) session:

Senators	County	Mileage	Total at five cents per mile
Biggar, George M.	Mendocino	468	\$23 40
Breed, Arthur H., Jr.	Alameda	178	8 90
Brown, Charles	Inyo	1,292	64 60
Collier, Randolph	Siskiyou	590	29 50
Crittenden, Bradford S.	San Joaquin	98	4 90
Cunningham, R. R.	Kings	428	21 40
DeLap, T. H.	Contra Costa	160	8 00
Deuel, Charles H.	Butte	228	11 40
Fletcher, Ed.	San Diego	1,146	57 30
Foley, John D.	Santa Clara	256	12 80
Garrison, J. C.	Stanislaus	164	8 20
Gordon, Frank L.	Napa	110	5 50
Hollister, J. James	Santa Barbara	854	42 70
Holohan, James B.	Santa Cruz	396	19 80
Jespersen, Chris N.	San Luis Obispo	666	33 30
Keating, Thomas F.	Marin	210	10 50
Kenny, Robert W.	Los Angeles	894	44 70
Mayo, Jesse M.	Calaveras	170	8 50
McBride, James J.	Ventura	980	49 00
McCormack, Thomas	Solano	124	6 20
Metzger, D. Jack	Tehama	286	14 30
Mixter, Frank M.	Tulare	432	21 60
Myhand, Peter P.	Merced	222	11 10
Nielsen, Roy J.	Sacramento	2	10
Phillips, John	Riverside	1,094	54 70
Quinn, Irwin T.	Humboldt	624	31 20
Rich, Wm. P.	Yuba	104	5 20
Seawell, Jerrold L.	Placer	108	5 40
Shelley, John F.	San Francisco	180	9 00
Slater, Herbert W.	Sonoma	180	9 00
Swing, Ralph E.	San Bernardino	1,016	50 80
Tickle, Edward H.	Monterey	474	23 70
Wagy, J. L.	Kern	638	31 90

Officers	County	Mileage	Total at ten cents per mile
Patterson, Ellis E., President	Los Angeles	894	\$89 40
Beek, Joseph A., Secretary	Orange	990	99 00
Nolan, Joseph F., Sergeant-at-Arms	Los Angeles	894	89 40
Garrison, J. B., Minute Clerk	Alameda	178	17 80

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Resolution No. 8 adopted by the following vote:

AYES—Senators Biggar, Breed, Collier, Cunningham, DeLap, Deuel, Fletcher, Foley, Garrison, Gordon, Hollister, Keating, Kenny, Mayo, McBride, McCormack, Mixter, Nielsen, Phillips, Rich, Seawell, Shelley, Slater, Swing, Tickle, and Wagy—26.

NOES—None.

### Senate Resolution No. 9.

The following resolution was offered:

By Senator Tickle:

*Resolved*, That the Sergeant-at-Arms be and he is hereby authorized to receipt to the Controller for warrants for members and officers of the Senate.

Resolution read, and on motion of Senator Tickle, adopted.

**Senate Resolution No. 10.**

The following resolution was offered:

By Senator McCormack:

WHEREAS, On September 8, 1940, an all-wise Providence decreed that the Honorable Benjamin Franklin Rush had completed his labors, and called him to his eternal rest; and

WHEREAS, The said Benjamin Franklin Rush, known affectionately to his host of friends as, "Ben Rush," a native of Sacramento County, exercised a strong and constructive influence in the development of Central California, having served as sheriff of Solano County, school trustee, head of the California Agricultural Society, a member of the committee which established the State College of Agriculture at Davis, and a member of this Senate, representing the old Fifth Senatorial District, for 24 years; and

WHEREAS, Senator Rush impressed all who knew him with his earnestness, his kindness of nature, his constant good humor, and his faithful devotion to the State of California; now, therefore, be it

*Resolved by the Senate of the State of California,* That it mourns the passing of this sturdy frontiersman and devoted patriot, and that its members join with the family of Senator Rush in its sense of bereavement; and be it further

*Resolved,* That when the Senate adjourns this day it do so out of honor to his memory; and be it further

*Resolved,* That the Secretary of the Senate be, and he is hereby, directed to have suitable engrossed copies of this resolution prepared and certified and to present the same to the members of the family of the late Senator Rush.

Resolution read, and on motion of Senator McCormack, unanimously adopted by a rising vote of the Senate.

**Senate Resolution No. 11.**

The following resolution was offered:

By Senator Deuel:

WHEREAS, The work of air conditioning the fourth floor of the Capitol Building has been undertaken but is not yet complete; and

WHEREAS, It is desirable that in the completion of this work the installation of partitions in Room 404-S be completed; and

WHEREAS, The Director of Finance has funds available from which appropriation may be made to complete both of these projects; now, therefore, be it

*Resolved,* That the Director of Finance be and he is hereby respectfully requested to set aside the sum of \$10,600 or so much thereof as may be necessary for the purposes hereinabove set forth.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Resolution No. 11 adopted by the following vote:

AYES—Senators Biggar, Breed, Collier, Crittenden, Cunningham, DeLap, Denel, Fletcher, Foley, Garrison, Gordon, Hollister, Keating, Kenny, Mayo, McBride, Mixer, Myhand, Nielsen, Phillips, Rich, Seawell, Shelley, Slater, Swing, Tickle, and Waggy—27.

NOES—None.

**Senate Resolution No. 12.**

The following resolution was offered:

By Senator Fletcher:

WHEREAS, A contract has been entered into between the State Board of Education and the Silver Burdett Publishing Co. for purchase of textbooks for use in the elementary schools of California; and

WHEREAS, In awarding this contract the State Board of Education ignored the recommendations of the State Curriculum Commission, which held the Silver Burdett textbook to be not only inferior to one published by the Sanborn Co., but costing approximately \$48,000 more; and

WHEREAS, After criticism of the award had been voiced by the press, prominent educators, citizens and a minority of the State Board of Education, a representative of the Silver Burdett Co. at a regular meeting of the State Board of Education held July 10, 1939, intimated his company could be induced to accept a figure approximately \$50,000 lower than the original; and

WHEREAS, The records show that a majority of the State Board of Education nevertheless proceeded to accept the higher figure, over the protests of minority members; and

WHEREAS, The chairman of the State Board of Education, Dr. Lewis P. Crutcher, signed the contract after the State Superintendent of Public Instruction, Walter F. Dexter, had refused to approve it; and

WHEREAS, The Legislative Investigating Committee of 1937, reviewing the textbook controversy, reported: "This committee accepts the recommendation of the Curriculum Commission, and it is our firm opinion that the selection of the Silver Burdett books was either the result of corruption or of carelessness and neglect of a concern for State affairs that is appalling. As to corruption, nothing was brought before this committee that justifies any such conclusion, so we are forced to adopt the unhappy alternative"; and

WHEREAS, There appears to be ample justification for a searching and conclusive inquiry into all of the facts in connection with the Silver Burdett award; now, therefore, be it

*Resolved by the Senate of the State of California*, That the Assembly Governmental Efficiency and Economy Fact-finding Committee created by House Resolution No. 67 of the first extraordinary session of the Fifty-third Legislature is hereby respectfully requested to proceed at once with an investigation into all phases of the Silver Burdett award and to report the results of its investigation to the Assembly and the Senate when the first extraordinary session of the Fifty-third Legislature reconvenes, to the end that this controversy may be cleared up once and for all.

Resolution read, and on motion of Senator Fletcher, adopted.

### Senate Resolution No. 13.

The following resolution was offered:

By Senator Phillips:

*Resolved by the Senate of the State of California*, That the State Controller is hereby requested to prepare and transmit to the Senate when it meets on September 21, 1940, a full and complete statement as of the thirteenth day of September, 1940, of the expenditures made from the Emergency Fund created by Item 212 of the Budget Act of 1939 and the balance remaining in that fund as of the thirteenth day of September, 1940; and be it further

*Resolved*, That the Secretary of the Senate is hereby directed to immediately transmit a copy of this resolution to the State Controller.

Resolution read, and on motion of Senator Phillips, adopted.

### Messages from the Governor.

The following messages from the Governor were received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,  
SACRAMENTO, September 13, 1940.

*To the Members of the Senate and Assembly of the California Legislature,  
Sacramento, California.*

GREETINGS: You have been called into special session on this date for purposes set out in a communication which I addressed to each of you when issuing the proclamation. Briefly, they are these:

(1) To provide further for unemployment relief.

(2) To create and provide for a State Council of Defense.

In the matter of Unemployment Relief, the State Relief Administrator reports to me that an immediate appropriation of at least \$1,450,000 is necessary to carry the present unemployment relief case-load from September 11th to September 30th, both dates inclusive, or all unemployment relief payments must be discontinued during that period.

To meet unemployment relief payments from September 11th through September 14th it was necessary for the Director of Finance, with my approval, to authorize incurrence of a deficiency of \$300,000 for that purpose. This amount is the maxi-



mm deficiency allowable according to the Attorney General's opinion, numbered NS 2082-A rendered to the State Controller December 11, 1939.

I was informally advised that the President Pro Tem of the Senate and the Speaker of the Assembly intended to reconvene the Legislature on September 21st for the purpose herein contemplated. I would have preferred this procedure, and would, if possible, have avoided calling you into special session before then.

I understand that your Joint Committee on Unemployment Relief, in fixing September 21st as the date for reconvening, was under the impression that a larger deficiency could be authorized by the Director of Finance and the Governor; an impression caused by the following communication dated September 7th, from Director of Finance John R. Richards to Relief Administrator S. G. Rubinow, which was called to the attention of the committee by Mr. Rubinow:

"Because of prior commitments, it will not be possible to finance unemployment relief out of the Emergency Fund from September 11th to September 21st as recommended by the Legislative Fact Finding Committee on Relief. Resolution of committee should be to the effect that director and Governor authorize relief administration to create a deficiency to be paid from any appropriations to be made by subsequent legislative action. With such a resolution of the committee, you could be authorized to use present cash on hand already committed for other expenditures to continue relief payments until Legislature meets and takes necessary action on September 21st and their action is enacted into law."

Since your joint committee is familiar with the present and prospective relief load under the terms of present law, Chapter 45 of the first extraordinary session, and the present need for action, on your part, to release or appropriate additional funds for immediate use, doubtless, the full advice and recommendation of your joint committee will be immediately available, so that you may readily act upon this emergency, perhaps within one day.

In the matter of State Council of Defense, every consideration of National and local defense warrants your prompt and vigorous action. I have heretofore appointed a State Council of Defense and the Executive Committee thereof. They have been at work since last June 24th with the formulation of plans and program for State and home defense and for civil defense activities, in accordance with advice and instructions received from the Council of National Defense and its Advisory Committee and with the aid and cooperation of a representative of the War Department.

In order to carry on this work, the council should be established and its support funds should be provided through legislative act.

A bill will be presented for these purposes. It will provide for the establishment and organization of this Council of Defense in the Executive Department of the State Government in accordance with the plans of the Council of National Defense and its Advisory Commission and other agencies of the Federal Government, with power to plan for the mobilization of agricultural, industrial, communication and transportation facilities, for the preservation of the public peace, health, safety, and welfare, for the protection of individual rights and consumer interests, for the suppression of sabotage and subversive activities, to cooperate with similar agencies authorized to be established in the cities and counties, to formulate a program of State and local government participation in the National defense program, to gather and disseminate information in regard to such participation, to integrate State and local programs with the National program, to make adjustments necessary for the prompt assimilation and unification of such programs, and to coordinate properly governmental and private agencies in the defense effort. This bill will provide for participation in the work of the California State Council of Defense by members of the Legislature. And it will appropriate money to the State Planning Board and to the California State Council of Defense for these purposes.

I am sure that we all desire complete unity in matters of home and National defense; and I am sure that we will all agree that the legislative and the executive departments should cooperate and unite in the work of perfecting and carrying forward all defense plans and programs within our State. I recommend that the proposed act provide for a committee of the Legislature consisting of members of the Senate and Assembly who shall be authorized to meet and participate with the State Council of Defense and its Executive Committee, to advise and cooperate in the work of the council, and to recommend such legislation as may be found necessary to the accomplishment and success of the important work which it will be the duty of the State Council of Defense to conduct. I do not believe that any larger appropriation than \$50,000 is necessary at this time and I would recommend that amount.

I ask for and anticipate your cooperation, your prompt and favorable action in the matters here presented.

Since issuing the proclamation for this session I have been urged to include other matters related to National defense. One is a proposal to permit more intensive use of public school occupational training facilities to train artisans and

mechanics. Another is a proposal to set up a Sabotage and Arson Bureau within the State Fire Marshal's office.

It is now my understanding that your previous call to reconvene on the 21st can not be rescinded and that you will therefore meet then regardless of this present call. This being the case, I shall seek to discuss these proposals with your leaders.

Should it appear to be your wish, and should they appear to be likely of passage, I shall be glad to issue a call to include these items.

Respectfully submitted,

CULBERT L. OLSON,  
Governor of California.

CLO:c

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,  
SACRAMENTO, September 13, 1940.

*To the Honorable Members of the Senate, State Capitol,  
Sacramento, California.*

GREETINGS: Will the Senate advise and consent to the following appointments to the State Board of Education:

Lois E. Souter, Los Angeles, vice Eleanor Lloyd Smith, appointment not confirmed, for the term ending January 15, 1943;

Alice H. Dougherty, Oakland, vice self, term expired, for the term ending January 15, 1944;

James M. Tadlock, Eureka, vice Henry S. Grossman, appointment not confirmed, for the term ending January 15, 1944.

Very truly yours,

CULBERT L. OLSON,  
Governor of California.

CLO:a

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,  
SACRAMENTO, September 13, 1940.

*To the Honorable Members of the Senate, State Capitol,  
Sacramento, California.*

GREETINGS: Will the Senate advise and consent to the following appointments to the State Board of Prison Directors:

Chris Merchant, San Francisco, vice John D. McGilvray, removed, for the term ending January 12, 1948;

Dr. W. Earle Smith, San Francisco, vice Ed L. Abbott, removed, for the term ending January 12, 1946;

Hugh Lovett Spears, Grapevine, vice T. N. Harvey, removed, for the term ending January 12, 1944;

George A. Briggs, Los Angeles, vice A. R. O'Brien, removed, for the term ending January 12, 1942.

Very truly yours,

CULBERT L. OLSON,  
Governor of California.

CLO:a

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,  
SACRAMENTO, September 13, 1940.

*To the Honorable Members of the Senate, State Capitol,  
Sacramento, California.*

GREETINGS: Will the Senate advise and consent to the following appointments to the Board of San Diego Harbor Commissioners:

Emil Klicka, San Diego, vice self, term expired, for the term ending September 26, 1940;

Ralph H. Van Deman, vice self, term expired, for the term ending September 26, 1943;

William E. Harper, vice Rufus Choate, term expired, for the term ending September 26, 1941.

Very truly yours,

CULBERT L. OLSON,  
Governor of California.

CLO:a

### Reports of Special Committees.

The following reports of Special Committees were received:

Senators Myhand, Foley and McBride, the Special Committee appointed to wait upon the Governor and inform him of the organization of the Senate, reported they had performed their duty.

Senators Hollister, Holohan and Fletcher, the Special Committee appointed to notify the Assembly of the organization of the Senate, reported that they had performed their duty.

### Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Senators Phillips, Nielsen, Denel, Mayo, Seawell, Mixter and Wagy:

SENATE CHAMBER, SACRAMENTO, September 13, 1940.

MR. PRESIDENT: In accordance with the provisions of Standing Rules of the Senate, we request permission to introduce a bill, the title of which is set forth below:

An act to add sections 3.2 and 3.8 to the Unemployment Relief Appropriation Act of 1940, relating to the money available for all forms of unemployment relief, declaring the urgency thereof, to take effect immediately.

Respectfully submitted.

SENATOR PHILLIPS AND OTHERS.

Request referred to Committee on Rules.

By Senator Nielsen:

SENATE CHAMBER, SACRAMENTO, September 13, 1940.

MR. PRESIDENT: In accordance with the provisions of the Standing Rules of the Senate, I request permission to offer a concurrent resolution, the title of which is set forth below:

Relative to the construction of a viaduct between Sacramento and North Sacramento, California.

Respectfully submitted.

SENATOR NIELSEN.

Request referred to Committee on Rules.

### Message from the Assembly.

At two o'clock and forty minutes p.m., a committee from the Assembly, consisting of Messrs. Lyon and Salsman and Mrs. Daley, appeared at the bar of the Senate and announced that the Assembly was duly organized and ready to proceed with the business of the State.

### Reports of Standing Committee.

The following reports of Standing Committee were received and read:

#### On Rules.

SENATE CHAMBER, SACRAMENTO, September 13, 1940.

MR. PRESIDENT: Your Committee on Rules to which was referred the following request for permission to introduce a bill:

An act to add sections 3.2 and 3.8 to the Unemployment Relief Appropriation Act of 1940, relating to the money available for all forms of unemployment relief, declaring the urgency thereof, to take effect immediately;

Has had the same under consideration, and respectfully reports the same back, and recommends that permission be granted, the bill introduced, and placed on second reading file.

Committee membership—5; committee vote: Ayes—5.

SEAWELL, Chairman.

SENATE CHAMBER, SACRAMENTO, September 13, 1940.

MR. PRESIDENT: Your Committee on Rules to which was referred the following request for permission to offer a concurrent resolution:

Relative to the construction of a viaduct between Sacramento and North Sacramento, California;

Has had the same under consideration, and respectfully reports the same back, and recommends that permission be granted, the concurrent resolution offered, and placed on file.

Committee membership—5; committee vote: Ayes—5.

SEAWELL, Chairman.



### Introduction, First Reading and Reference of Bills.

The following bills were introduced:

**Senate Bill No. 1:** By Senators Phillips, Nielsen, Deuel, Mayo, Seawell, Mixer and Waggy—An act to add sections 3.2 and 3.8 to the Unemployment Relief Appropriation Act of 1940, relating to the money available for all forms of unemployment relief, declaring the urgency thereof, to take effect immediately.

Senate Bill No. 1 read first time.

Senator Phillips asked for, and was granted, unanimous consent for the consideration of Senate Bill No. 1, without reference to committee for purpose of passage.

Senate Bill No. 1 ordered to print, and on file.

**Senate Concurrent Resolution No. 1:** By Senator Nielsen—Relative to the construction of a viaduct between Sacramento and North Sacramento, California.

Senator Nielsen asked for, and was granted, unanimous consent for the consideration of Senate Concurrent Resolution No. 1, without reference to committee for purpose of adoption.

Senate Concurrent Resolution No. 1 ordered to print, and on file.

### Preliminary Report of the Legislative Advisory Committee on Defense and Employment.

The following report was received, and ordered printed in the Journal:

The personnel of the Legislative Advisory Committee on Defense and Employment is indicated on the sheet of letter paper hereto attached. Since the committee's appointment and its organization a number of meetings have been held, some in San Francisco and some in Los Angeles. At each of the meetings there were very few absences, and a very careful discussion was maintained through each meeting relating to possible legislation that might be required in the removal of any legislation that would act as an impediment to the industries that were active in National Defense work. Special committees were appointed to make particular studies and to report at subsequent meetings.

#### Pipe Lines and Oil Storage Throughout the State.

A plan is in the possession of the committee, indicating the approximate barrelage stored and of the location of such storage. Location of all of the main pipe lines owned by various companies throughout the State was obtained, and a great deal of particular information regarding these items is in the hands of the committee. The possibility of a system of distribution of not only oil storage but of particular pipe lines was discussed. A general idea of the cost of storage tanks remote from the coast was ascertained, both as to underground storage and storage above the ground. In a general way the matter was discussed at the headquarters of the Ninth Corps Area. The statement was made that the War Department has sent a plan to governors of all States, giving a general idea of what the War Department feels the organization of Home Defense should be. Without doubt in this area a proper distribution of oil storage is very vital. The committee has gone as far as it can with the study of this subject and has obtained practically all of the facts which are at the disposal of those who should receive them.

#### Labor and Employment.

A special committee has been studying this question and has been endeavoring to obtain, in a general way, not only a census of the unemployed, but also an endeavor is being made to so arrange a list so that it will be possible to find out the various capabilities of those who are on the list, thus preparing a reservoir of information for the industries. As the defense program expands, it is felt that this information will be valuable, inasmuch as the industry can augment the number of its employees without having to do a great deal of research work itself. C. J. Haggerty, of Los Angeles, Alexander Watchman, of San Francisco, and

Mrs. Prince, of San Francisco, have accumulated a large amount of information which in the very near future it is hoped can be prepared in the form of a complete report.

#### Housing Adjacent to Defense Industries.

After a number of conferences with Mr. Haydock, of the United States Housing Authority, and with Mr. Strauss on his visit to Los Angeles, it was revealed that a special need for State legislation existed, and it was hoped that this matter could be brought up at any special session of the Legislature for study and enactment. A copy of the bill suggested by the United States Housing Authority was given to the committee and it in turn had copies prepared and sent to every member of the Joint Legislative Committee and to the Governor. A telegram from John C. Austin, chairman, was sent to Governor Olson, requesting that if possible a special call be issued to the legislators requesting action on this item. In the industries devoted to defense work it is found that many of the employees have to travel 20 to 30 miles to their work, and it has been found that in many of the towns close to the industries not a house or an apartment is for rent.

#### Education.

The question of trade training in the schools and in the industries is being studied, and it has been ascertained that legislative action will be necessary for a number of items before a complete and full defense program can be carried out.

#### Publicity.

At the beginning of the committee's work it was felt that publicity should be avoided, but as the work expanded it was felt that publicity, both through the press and the radio, would be advisable, so that any and all information regarding the needs of industry and of those desiring employment could be transmitted to the committee and the committee's help obtained in the shortest possible time. Mr. Richard F. Connor was appointed as chairman of this committee, and he has made arrangements for widespread radio publicity immediately it is found to be desirable.

Many other valuable items are now the subject of study, but the foregoing five items will indicate that a large amount of information ready for action is now in the hands of the committee.

JOHN C. AUSTIN, Chairman.  
HUGO W. OSTERILAT'S.  
MRS. MILDRED PRINCE.  
BRYNN BELYEA.  
RICHARD F. CONNOR.  
ARTHUR S. CRITES.  
DONALD W. DOUGLAS.  
ALLEN GRIFFIN.

WALTER A. HASS.  
C. J. HAGGERTY.  
WILLIAM GIBBS McADOO.  
E. W. MASON.  
DR. ROBERT A. MILLIKAN.  
JOHN H. PIRIE.  
ALEXANDER WATCHMAN.

#### Message from the Assembly.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, September 13, 1940.

MR. PRESIDENT: I am directed to inform your honorable body that the following named persons constitute the officers of the Assembly for the fifty-third (third extraordinary) session:

Hon. Gordon H. Garland-----	Speaker
Hon. Gardiner Johnson-----	Speaker pro tempore
Jack Carl Greenburg-----	Chief Clerk
David V. Oliver-----	Minute Clerk
Wilkie Ogg-----	Sergeant-at-Arms

JACK CARL GREENBURG, Chief Clerk of Assembly.  
By FRANK REED, Assistant Clerk.

#### Recess.

At two o'clock and forty-five minutes p.m., on motion of Senator Seawell, the President of the Senate declared recess until seven o'clock p.m.

#### Reconvened.

At seven o'clock p.m., the Senate reconvened.  
Lieutenant Governor Ellis E. Patterson, President of the Senate, in the chair.  
Secretary Joseph A. Beck at the desk.

### Message from the Assembly.

The following message from the Assembly was received and read :

ASSEMBLY CHAMBER, SACRAMENTO, September 13, 1940.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 1—An act to add sections 3.2 and 3.8 to the Unemployment Relief Appropriation Act of 1940, relating to the money available for all forms of unemployment relief, declaring the urgency thereof, to take effect immediately.

JACK CARL GREENBURG, Chief Clerk of Assembly.  
By FRANK REED, Assistant Clerk.

Assembly Bill No. 1 read first time.

### Resolution.

The following resolution was offered :

By Senator Phillips:

*Resolved*, That Assembly Bill No. 1 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called.

### Call of the Senate.

Pending the announcement of the vote, Senator Seawell moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Biggar, Collier, Crittenden, Cunningham, Fletcher, Foley, Garrison, Hollister, Keating, Kenny, Mayo, McBride, Myhand, Nielsen, Phillips, Quinn, Seawell, Shelley, Slater, and Wagy—20.

The Secretary announced the absentees.

Time, seven o'clock and fifteen minutes p.m.

The President of the Senate directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

### Further Proceedings Under Call of the Senate Dispensed With.

At seven o'clock and forty minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Seawell.

The names of the absentees were called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Collier, Crittenden, Cunningham, DeLap, Deuel, Fletcher, Foley, Garrison, Gordon, Hollister, Jespersen, Keating, Kenny, Mayo, McBride, McCormack, Metzger, Mixer, Myhand, Nielsen, Phillips, Quinn, Rich, Seawell, Shelley, Slater, and Wagy—28.

NOES—None.

Whereupon the President declared the provisions of Section 15, Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 1.

### Consideration of Assembly Bill No. 1.

**Assembly Bill No. 1**—An act to add Sections 3.2 and 3.8 to the Unemployment Relief Appropriation Act of 1940, relating to the money available for all forms of unemployment relief, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Bill read third time.

#### Urgency Clause.

SEC. 3. This act is hereby declared to be an urgency measure, necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and as such shall take effect immediately. The facts constituting such necessity are as follows:

The money available for unemployment relief is about to be totally expended and it is necessary that additional funds be made available immediately for unemployment relief and the operation of the Federal food stamp plan in connection therewith. Unless this act providing immediate funds takes effect immediately relief operations will have to be suspended at a time when the need is great, which will result in untold hardship and suffering to a great number of persons receiving relief in this State at this time, and will cause serious unrest throughout the State.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Biggar, Collier, Crittenden, Cunningham, DeLap, Deuel, Fletcher, Foley, Garrison, Gordon, Hollister, Jespersen, Keating, Kenny, Mayo, McBride, McCormack, Metzger, Mixer, Myhand, Nielsen, Phillips, Quinn, Rich, Seawell, Shelley, Slater, Swing, Tickle, and Wagy—30.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1 passed by the following vote:

AYES—Senators Biggar, Collier, Crittenden, Cunningham, DeLap, Deuel, Fletcher, Foley, Garrison, Gordon, Hollister, Jespersen, Keating, Kenny, Mayo, McBride, McCormack, Mixer, Myhand, Nielsen, Phillips, Quinn, Rich, Seawell, Shelley, Slater, Swing, Tickle, and Wagy—29.

NOES—None.

Title read and approved.

Assembly Bill No. 1 ordered transmitted to the Assembly.

### Consideration of Senate Concurrent Resolution No. 1.

#### Senate Concurrent Resolution No. 1.

Relative to the construction of a viaduct between Sacramento and North Sacramento, California.

WHEREAS, The present highway between Sacramento and North Sacramento, California, is subject to flooding during the annually recurring high water period; and

WHEREAS, Such flooding virtually cuts off the Air Corps Supply and Repair Depot at North Sacramento from the San Francisco Bay area during stormy seasons, clogs traffic to and from the depot and seriously obstructs the National defense; and

WHEREAS, The Secretary of War of the United States has requested the Governor of the State of California to expedite construction of a viaduct to carry highway traffic from the American River Bridge on Auburn Boulevard to a point beyond the levee protecting North Sacramento in order to eliminate the interference caused by floods to operations at the depot; and

WHEREAS, It is estimated that the cost of a viaduct such as is requested by the Secretary of War of the United States would be in the neighborhood of \$600,000; and

WHEREAS, The Governor and the Director of Public Works of this State are referring the matter to the California Highway Commission with recommendations for favorable action; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly thereof concurring,* That the California Highway Commission is hereby requested to investigate the possibility of finding ways and means of financing the construction of such a viaduct and to commence the construction thereof at the earliest possible moment and to report its findings and actions to the Senate and to the Assembly at the next regular (fifty-fourth) session of the Legislature; and be it further

*Resolved,* That the Secretary of the Senate is hereby directed to transmit a copy of this resolution to the California Highway Commission, through its secretary.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 1 adopted by the following vote:

AYES—Senators Biggar, Collier, Crittenden, DeLap, Denel, Fletcher, Foley, Garrison, Gordon, Hollister, Holohan, Jespersen, Kenting, Keuny, Mayo, McBride, McCormack, Metzger, Mixer, Myhand, Nielsen, Phillips, Quinn, Rich, Seawell, Shelley, Slater, Swing, Tickle, and Wagye—30.

NOES—None.

Senate Concurrent Resolution No. 1 ordered transmitted to the Assembly.

### Senate Resolution No. 14.

The following resolution was offered:

By Senators Crittenden, Biggar, Gordon and Nielsen:

WHEREAS, The State Civil Service Act provides for the periodic filing of performance reports of State employees subject to the act; and

WHEREAS, The performance report of an individual employee is a matter of great importance to him because his rating upon his performance report is a factor in promotions, salary adjustments, lay-offs, and his continuance in his employment; and

WHEREAS, Under the present law and the rules of the Personnel Board performance reports are prepared by or under the direction of the appointing power, who is usually the person in direct charge of the work of the employee, but the score upon the performance report is determined, not by the appointing power but by the Personnel Board upon the basis of a formula of its own devising; and

WHEREAS, It has been called to the attention of the authors of this resolution that the present system of performance reports is subject to grave abuses both in the manner of making out such reports and in the determination of the final score thereon, and that the Personnel Board under the present system may arbitrarily mark down an employee who has received a high rating from his immediate superior, and that at the same time the appointing power may manipulate the performance report in favor of an inefficient employee for personal reasons; and

WHEREAS, The possibility of arbitrary action either in favor of or against the interest of individual employees is not consistent with the spirit or the purpose of the State Civil Service Act and the merit system in State service; now, therefore, be it

*Resolved by the Senate of the State of California,* That the Personnel Board is hereby requested to investigate the method of making and scoring performance reports under civil service, and particularly to investigate the existence, if any, of the abuses hereinbefore referred to; and be it further

*Resolved,* That the Personnel Board is hereby requested to report to the Senate not later than the first week of the regular session of the Legislature in 1941, the result of its investigation of the matters herein referred to, together with such recommendation as the board deems advisable; and be it further

*Resolved,* That if any abuses of the type mentioned in this resolution have occurred, this Senate most earnestly condemns them.

Resolution read, and on motion of Senator Crittenden, adopted.



### Report of Standing Committee.

The following report of standing committee was received:

#### On Rules.

SENATE CHAMBER, SACRAMENTO, September 13, 1940.

MR. PRESIDENT: Your Committee on Rules, to which was referred the appointments made by the Governor to the State Board of Prison Directors, also the appointments made to the State Board of Education, and also the appointments made to the Board of San Diego Harbor Commissioners, has had the same under consideration and respectfully returns said appointments with the recommendation that the Secretary of the Senate return said appointments to the Governor advising him that the brevity of the session did not permit proper and adequate consideration by the Senate.

SEAWELL, Chairman.

Report read, and on motion of Senator Seawell, adopted.

### Privilege of Floor of Senate Extended.

On request of Senator Garrison, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Elsie M. Rogers of Los Angeles and Hon. Gustav B. Hjelm, Superior Court Judge of Modesto.

On request of Senator Kenny, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. C. Donker of Los Angeles and Mrs. John Lea of Roseville.

### Introduction, First Reading and Reference of Bills.

The following concurrent resolution was introduced:

**Senate Concurrent Resolution No. 2:** By Senator Seawell—Relative to adjournment sine die of the third extraordinary session of the Fifty-third Legislature of the State of California.

### Consideration of Senate Concurrent Resolution No. 2.

Senator Seawell asked for, and was granted, unanimous consent for the consideration of Senate Concurrent Resolution No. 2, without reference to committee for purpose of adoption.

#### Senate Concurrent Resolution No. 2.

Relative to adjournment sine die of the third extraordinary session of the Fifty-third Legislature of the State of California.

*Resolved by the Senate of the State of California, the Assembly thereof concurring.* That the third extraordinary session of the Fifty-third Legislature of the State of California, which convened at two o'clock p.m. on the thirteenth day of September, 1940, pursuant to a proclamation issued by the Governor of the State of California under date of September 11, 1940, shall adjourn sine die at nine o'clock p.m., September 13, 1940.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Resolution No. 2 adopted by the following vote:

AYES—Senators Biggar, Collier, Crittenden, Cunningham, DeLap, Denel, Fletcher, Foley, Garrison, Gordon, Hollister, Holohan, Jespersen, Kenny, Mayo, McBride, McCormack, Metzger, Mixter, Myhand, Phillips, Quinn, Rich, Seawell, Shelley, Slater, Swing, Tickle, and Wagay—29.

NOES—None.

Senate Concurrent Resolution No. 2 ordered transmitted to the Assembly.

### Senate Resolution No. 15.

The following resolution was offered:

By Senator Garrison:

*Resolved*, That the President of the Senate appoint a committee of three to notify the Governor that the Senate is ready to adjourn sine die the fifty-third (third extraordinary) session of the Legislature and to ask if His Excellency has any further communications to transmit to the Senate.

Resolution read, and on motion of Senator Garrison, adopted.

#### Appointment of Special Committee.

The President announced, in accordance with the above resolution, the appointment of Senators Garrison, Shelley and Gordon.

### Senate Resolution No. 16.

The following resolution was offered:

By Senator Mayo:

*Resolved*, That the President of the Senate appoint a committee of three to notify the Assembly that the Senate is ready to adjourn sine die the fifty-third (third extraordinary) session of the Legislature and to ask if the Assembly has any further communications to transmit to the Senate.

Resolution read, and on motion of Senator Mayo, adopted.

#### Appointment of Special Committee.

The President announced, in accordance with the above resolution, the appointment of Senators Mayo, Foley and Cunningham.

### Messages from the Assembly.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, September 13, 1940.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 1.

JACK CARL GREENBURG, Chief Clerk of Assembly.  
By FRANK REED, Assistant Clerk.

Senate Concurrent Resolution No. 1 ordered to enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, September 13, 1940.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 2.

JACK CARL GREENBURG, Chief Clerk of Assembly.  
By FRANK REED, Assistant Clerk.

Senate Concurrent Resolution No. 2 ordered to enrollment.

### Message from the Assembly.

At nine o'clock and fifty minutes p.m., a committee from the Assembly, consisting of Messrs. Field, Robertson and Heisinger, appeared at the bar of the Senate, and announced that the Assembly was prepared to adjourn sine die, and had no further communications to transmit to the Senate.

**Report of Committee.**

Senator Mayo, as chairman of the committee appointed to inform the Assembly of the readiness of the Senate to adjourn sine die, in accordance with the provisions of Senate Concurrent Resolution No. 2, reported that the committee had delivered the message to the Assembly and had been requested by the Assembly to inform the Senate that the Assembly had no further communications to transmit, as they were prepared to adjourn sine die.

**Report of Committee.**

Senator Garrison, as chairman of the committee appointed to wait upon the Governor and inform him of the readiness of the Senate to adjourn sine die, as provided in Senate Concurrent Resolution No. 2, reported that they had performed their duty.

**Approval of Minutes.**

The minutes of this legislative day, Friday, September 13, 1940, were, on motion of Senator Seawell, approved as corrected by the Minute Clerk.

**Final Adjournment.**

Whereupon at nine o'clock p.m., on motion of Senator Seawell, in accordance with the provisions of Senate Concurrent Resolution No. 2, the President of the Senate declared the fifty-third (third extraordinary) session of the Senate of the State of California adjourned sine die out of respect to the late Senator Benjamin F. Rush.

JAMES BOYD GARRISON, Minute Clerk.



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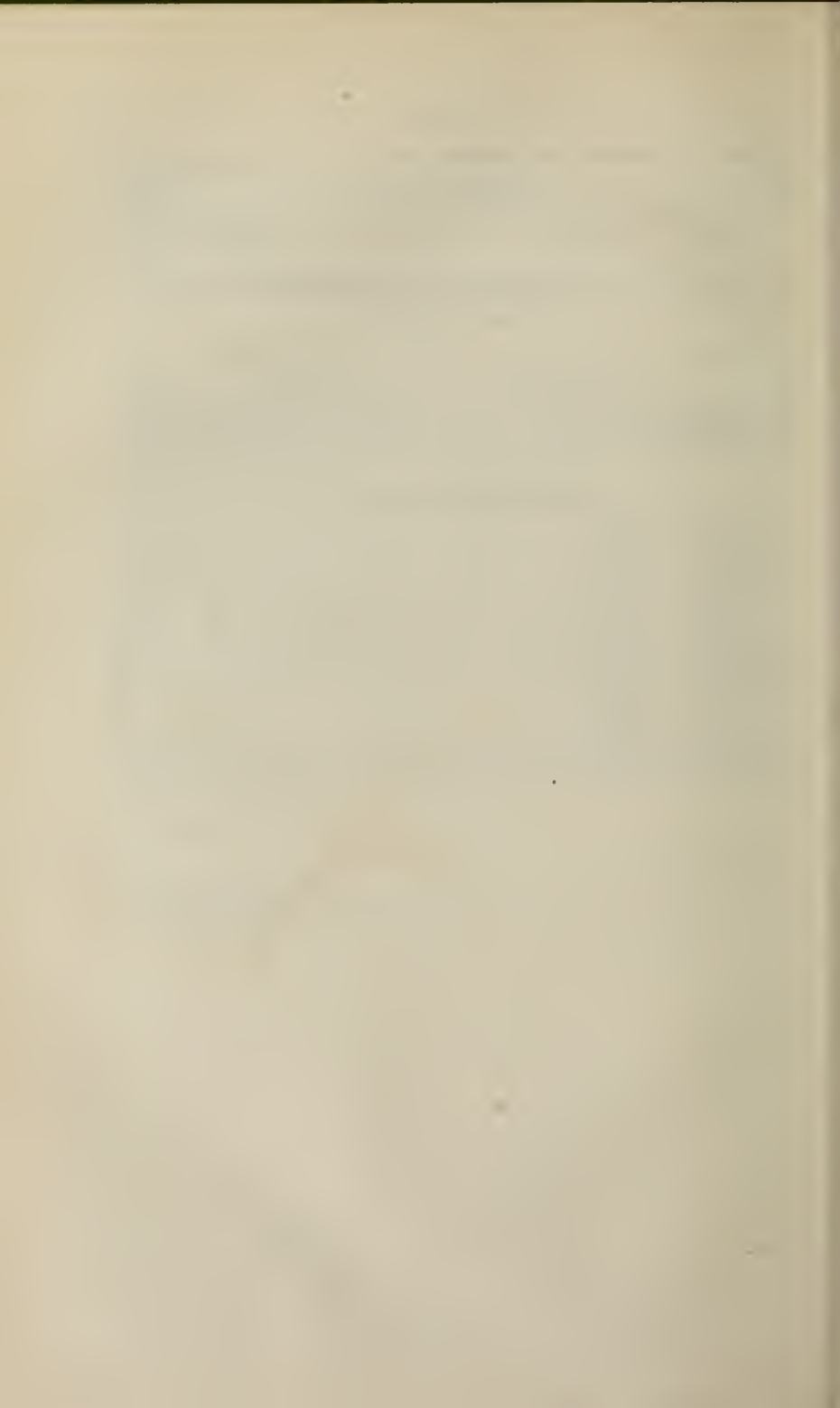
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**CALIFORNIA LEGISLATURE**  
**FIFTY-THIRD (THIRD EXTRAORDINARY) SESSION**

# ASSEMBLY DAILY JOURNAL

FIRST LEGISLATIVE DAY

FIRST CALENDAR DAY

## IN ASSEMBLY

ASSEMBLY CHAMBER,  
 SACRAMENTO, Friday, September 13, 1940.

The Assembly met at two o'clock p.m. pursuant to the provisions of the proclamation of His Excellency, Culbert L. Olson, Governor of the State of California, dated September 11, 1940.

### Announcement.

Jack Carl Greenburg, Chief Clerk of the Assembly, announced that, pursuant to the requirements of the Political Code, section 237, the following officers of the Assembly of the fifty-third (second extraordinary) session of the Legislature were present and in their respective positions: Jack Carl Greenburg, Chief Clerk; David V. Oliver, Minute Clerk, and Wilkie Ogg, Sergeant-at-Arms.

### Roll Call of Members.

The Chief Clerk called the roll of Assemblymen.

The following members of the Assembly answered to their names:

Allen, Andreas, Atkinson, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Burson, Call, Carlson, Cassidy, Clarke, Collins, Corwin, Cronin, Crowley, Daley, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Fulcher, Gallagher, Gannon, Garland, Gilmore, Green, Hawkins, Heisinger, Houser, Johnson, Kellem, Kepple, Kilpatrick, Knight, Kuchel, Leonard, Lore, Lyon, Maloney, Massion, Meehan, Miller, Eleanor; Miller, George P., Millington, O'Day, O'Donnell, Pelletier, Phillips, Richie, Robertson, Salsman, Sawallisch, Scndler, Stream, Tenney, Thurman, Turner, Waters, Watson, Weber, Weybret, Williamson, Wollenberg, and Yorty—68.

Quorum present.

### Resolutions.

#### House Resolution No. 1.

By Mr. Desmond:

*Resolved by the Assembly of the State of California.* That the following named persons constitute the officers of the Assembly for the fifty-third (third extraordinary) session, with the per diem as fixed by statute:

Hon. Gordon H. Garland	-----Speaker
Hon. Gardiner Johnson	-----Speaker Pro Tempore
Jack Carl Greenburg	-----Chief Clerk
David V. Oliver	-----Minute Clerk
Wilkie Ogg	-----Sergeant-at-Arms
Rev. Raymond Lull Bailey	-----Chaplain

House Resolution No. 1 read, and adopted by the following vote:

AYES—Allen, Andreas, Atkinson, Bashore, Bennett, Burns, Hugh M., Burson, Call, Carlson, Cassidy, Clarke, Cronin, Crowley, Daley, Del Muto, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Fulcher, Gallagher, Gaunon, Gilmore, Green, Hawkins, Heisinger, Houser, Johnson, Kellems, Kepple, Kilpatrick, Knight, Kuchel, Leonard, Lore, Lyon, Maloney, Massion, Meehan, Miller, Eleanor; Miller, George P., Millington, O'Day, O'Donnell, Pelletier, Phillips, Richie, Robertson, Salsman, Sawalisch, Seudder, Stream, Tenney, Thurman, Turner, Waters, Watson, Weber, Weybret, Williamson, Wollenberg, and Yorty—64.

NOES—None.

### Appointment of Select Committee.

The Chief Clerk appointed Messrs. Desmond and Lyon as a select committee to escort Hon. Gordon H. Garland to the Speaker's chair.

### Oaths of Office Administered.

Hon. Gordon H. Garland, Speaker-elect, Hon. Gardiner Johnson, Speaker Pro Tempore-elect, Jack Carl Greenburg, Chief Clerk-elect, David V. Oliver, Minute Clerk-elect, and Wilkie Ogg, Sergeant-at-Arms-elect, took and subscribed to the following oath administered by Hon. Chas. J. Magerty, Deputy Secretary of State:

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and discharge the duties of the office to which I have been elected to the best of my ability.

### Prayer.

Prayer was offered by Rev. Raymond Lull Bailey, Chaplain of the Assembly for the fifty-third (third extraordinary) session.

### Proclamation of the Governor Ordered Printed in the Journal.

On motion of Mr. Lyon the proclamation of the Governor was ordered printed in the Journal.

### Proclamation.

#### EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.

WHEREAS, An extraordinary occasion has arisen and now exists, requiring that the Legislature of the State of California be convened; now, therefore,

1. Culbert L. Olson, Governor of the State of California, by virtue of the power and authority in me vested by section 9 of Article V of the Constitution of the State of California, do hereby convene the Legislature of the State of California to meet and assemble in extraordinary session, at Sacramento, California, on Friday, the thirteenth day of September, one thousand nine hundred and forty, at two o'clock p.m. of said day, for the following purposes and to legislate upon the following subjects, to wit:

1. To consider and act upon an act providing an appropriation for the 92d fiscal year to the Relief Administrator and Relief Commission for the relief of hardship and destitution due to and caused by unemployment to be expended by the Relief Administrator and Relief Commission in accordance with the provisions of the California Unemployment Relief Act of 1935 for the relief of persons qualifying thereunder.

2. To consider and act upon legislation providing for the establishment and organization in the executive department of the State government of a California State Council of Defense, to be appointed by, and to act under the direction of, the Governor, in accordance with the plans of the Council of National Defense and its Advisory Commission and of other agencies of the United States Government, with power to plan for the mobilization of agricultural, industrial, communication and transportation facilities, for the preservation of the public peace, health, safety, and welfare, for the protection of individual rights and consumer interests, for the suppression of sabotage and subversive activities, to cooperate with similar agencies authorized to be established in the cities and counties, to formulate a program of State and local government participation in the national defense program, to gather and disseminate information in regard to such participation, to integrate State and local programs with the national program, to make adjustments necessary for the prompt assimilation and unification of such programs, and to coordinate properly governmental and private agencies in the defense effort; providing for participation in the work of the California State Council of Defense by members of the Legislature; and providing for an appropriation of money to the State

Planning Board and to the California State Council of Defense in the executive department of the State government for these purposes.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this eleventh day of September, A. D., one thousand nine hundred and forty.

CULBERT L. OLSON,

Governor of California.

ATTEST: PAUL PEEK,

Secretary of State.

## Message from the Governor.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,

SACRAMENTO, September 13, 1940.

*To the Members of the Senate and Assembly of the California Legislature,  
Sacramento, California.*

GREETINGS: You have been called into special session on this date for purposes set out in a communication which I addressed to each of you when issuing the proclamation. Briefly, they are these:

(1) To provide further for unemployment relief.

(2) To create and provide for a State Council of Defense.

In the matter of Unemployment Relief, the State Relief Administrator reports to me that an immediate appropriation of at least \$1,450,000 is necessary to carry the present unemployment relief case-load from September 11th to September 30th, both dates inclusive, or all unemployment relief payments must be discontinued during that period.

To meet unemployment relief payments from September 11th through September 14th it was necessary for the Director of Finance, with my approval, to authorize incurrence of a deficiency of \$300,000 for that purpose. This amount is the maximum deficiency allowable according to the Attorney General's opinion, numbered NS 2082-A rendered to the State Controller December 11, 1939.

I was informally advised that the President Pro Tempore of the Senate and the Speaker of the Assembly intended to reconvene the Legislature on September 21st; for the purpose herein contemplated. I would have preferred this procedure, and would, if possible, have avoided calling you into special session before then.

I understand that your Joint Committee on Unemployment Relief, in fixing September 21st as the date for reconvening, was under the impression that a larger deficiency could be authorized by the Director of Finance and the Governor; an impression caused by the following communication dated September 7th, from Director of Finance John R. Richards to Relief Administrator S. G. Rubinow, which was called to the attention of the Committee by Mr. Rubinow:

"Because of prior commitments, it will not be possible to finance unemployment relief out of the Emergency Fund from September 11 to September 21st as recommended by the Legislative Fact Finding Committee on relief. Resolution of committee should be to the effect that Director and Governor authorize relief administration to create a deficiency to be paid from any appropriations to be made by subsequent legislative action. With such a resolution of the committee, you could be authorized to use present cash on hand already committed for other expenditures to continue relief payments until Legislature meets and takes necessary action on September 21st and their action is enacted into law."

Since your Joint Committee is familiar with the present and prospective relief load under the terms of present law, Chapter 45 of the First Extraordinary session, and the present need for action, on your part, to release or appropriate additional funds for immediate use, doubtless, the full advice and recommendation of your Joint Committee will be immediately available, so that you may readily act upon this emergency, perhaps within one day.

In the matter of a State Council of Defense, every consideration of national and local defense warrants your prompt and vigorous action. I have heretofore appointed a State Council of Defense and the Executive Committee thereof. They have been at work since last June 21st with the formulation of plans and program for State and home defense and for civil defense activities, in accordance with advice and instructions received from the Council of National Defense and its advisory committee and with the aid and cooperation of a representative of the War Department.

In order to carry on this work, the council should be established and its support funds should be provided through legislative act.

A bill will be presented for these purposes. It will provide for the establishment and organization of this Council of Defense in the executive department of the State government in accordance with the plans of the Council of National Defense and its advisory commission and other agencies of the Federal Government, with power to plan for the mobilization of agricultural, industrial, communication and transportation facilities, for the preservation of the public peace, health, safety, and welfare, for the protection of individual rights and consumer interests, for the suppression of sabotage and subversive activities, to cooperate with similar agencies

authorized to be established in the cities and counties, to formulate a program of State and local government participation in the national defense program, to gather and disseminate information in regard to such participation, to integrate State and local programs with the national program, to make adjustments necessary for the prompt assimilation and unification of such programs, and to coordinate properly governmental and private agencies in the defense effort. This bill will provide for participation in the work of the California State Council of Defense by members of the Legislature. And it will appropriate money to the State Planning Board and to the California State Council of Defense for these purposes.

I am sure that we all desire complete unity in matters of home and national defense; and I am sure that we will all agree that the legislative and the executive departments should cooperate and unite in the work of perfecting and carrying forward all defense plans and programs within our State. I recommend that the proposed act provide for a committee of the Legislature consisting of members of the Senate and Assembly who shall be authorized to meet and participate with the State Council of Defense and its executive committee, to advise and cooperate in the work of the council, and to recommend such legislation as may be found necessary to the accomplishment and success of the important work which it will be the duty of the State Council of Defense to conduct. I do not believe that any larger appropriation than \$50,000 is necessary at this time and I would recommend that amount.

I ask for and anticipate your cooperation, your prompt and favorable action in the matters here presented.

Since issuing the proclamation for this session I have been urged to include other matters related to national defense. One is a proposal to permit more intensive use of public school occupational training facilities to train artisans and mechanics. Another is a proposal to set up a sabotage and arson bureau within the State Fire Marshal's office.

It is now my understanding that your previous call to reconvene on the twenty-first can not be rescinded and that you will therefore meet then regardless of this present call. This being the case, I shall seek to discuss these proposals with your leaders. Should it appear to be your wish, and should they appear to be likely of passage, I shall be glad to issue a call to include these items.

Respectfully submitted.

CULBERT L. OLSON,  
Governor of California.

### Committee from the Senate.

Senators Fletcher, Hollister and Holohan appeared before the bar of the Assembly, and announced that the Senate had organized, and was now ready to proceed with the regular business.

### Resolutions.

#### House Resolution No. 2.

By Mr. Lyon:

*Resolved by the Assembly of the State of California,* That the Speaker of the Assembly appoint a committee of three to inform the Senate that the Assembly is in session, pursuant to the proclamation of His Excellency, the Governor, dated the eleventh day of September, 1940, and ready for the transaction of legislative business, with the following officers, to wit:

Hon. Gordon H. Garland	.....	Speaker
Hon. Gardiner Johnson	.....	Speaker Pro Tempore
Jack Carl Greenburg	.....	Chief Clerk
David V. Oliver	.....	Minute Clerk
Wilkie Ogg	.....	Sergeant-at-Arms
Rev. Raymond Lull Bailey	.....	Chaplain

House Resolution No. 2 read, and adopted.

#### Appointment of Special Committee.

In accordance with House Resolution No. 2, the Speaker appointed Messrs. Lyon, Salsman and Mrs. Daley as such Special Committee.

#### House Resolution No. 3.

By Mr. Pelletier:

*Resolved by the Assembly of the State of California,* That a special committee of five be appointed to wait upon His Excellency, the Governor, and inform him that the Assembly is organized and awaits any communication he may have to make to it.

House Resolution No. 3 read, and adopted.

**Appointment of Special Committee.**

In accordance with House Resolution No. 3, the Speaker announced the appointment of Messrs. Pelletier, Phillips, Bennett, Turner and Leonard as such Special Committee.

**House Resolution No. 4.**

By Mr. Desmond:

*Resolved by the Assembly of the State of California,* That until further notice the Standing Rules, as amended, of the first extraordinary session which convened on January 29, 1940, be and the same are hereby adopted as the rules of this third extraordinary session convened on September 13, 1940.

**Request for Unanimous Consent.**

Mr. Desmond asked for, and was granted, unanimous consent to consider House Resolution No. 4, at this time, without reference to committee.

House Resolution No. 4 read, and adopted by the following vote:

AYES—Allen, Andreas, Atkinson, Bashore, Burns, Hugh M., Burns, Michael J., Burson, Call, Carlson, Cassidy, Clarke, Collins, Corwin, Cronin, Crowley, Desmond, Dills, Donnelly, Doyle, Evans, Field, Gallagher, Gannon, Gilmore, Green, Hawkins, Heisinger, Houser, Johnson, Kellens, Kepple, Kilpatrick, Knight, Kuchel, Leonard, Lore, Lyon, Maloney, Massion, Meehan, Miller, Eleanor, Millington, O'Day, O'Donnell, Richie, Robertson, Salsman, Sawallisch, Scudder, Stream, Tenney, Thurman, Waters, Watson, Weber, Weybret, Williamson, Wollenberg, Yorty, and Mr. Speaker—60.

NOES—None.

**Rules.**

**Standing Rules of the Assembly for the Fifty-third  
(Third Extraordinary) Session.**

*Hours of Meeting.*

1. The session of Assembly, prior to the constitutional recess, shall be daily, beginning at ten o'clock a.m. (Sundays excepted), unless otherwise ordered by a majority vote of the members present.

Following the constitutional recess, the Assembly shall meet promptly at two o'clock p.m., daily (Sundays excepted) and Mondays at the hour of eleven o'clock a.m., unless otherwise ordered by a majority vote of the members present.

*Speaker to Call Assembly to Order.*

2. The Speaker, or in his absence, the Speaker Pro Tempore, shall take the Speaker's chair precisely at the hour appointed for meeting, and shall immediately call the Assembly to order. In the absence of both the Speaker and the Speaker Pro Tempore, the Chief Clerk, or his assistant, shall call the Assembly to order, whereupon a temporary chairman shall be elected from among the members to preside.

*Roll Call and Quorum.*

3. Before proceeding with the business of the Assembly, the roll of the members shall be called, and the names of those present shall be entered on the Journal. A majority of all the members elected to the Assembly shall constitute a quorum for the transaction of business.



*Order of Business.*

4. The order of business of the Assembly shall be as follows:
  1. Roll Call
  2. Prayer by the Chaplain
  3. Reading of the Previous Day's Journal
  4. Presentation of Petitions
  5. Reports of Committees
  6. Messages from the Governor
  7. Messages from the Senate
  8. Introduction and Reference of Bills
  9. Business on the Daily Calendar
  10. Motions and Resolutions
  11. Announcements
  12. Adjournment.

*Reading of the Previous Day's Journal.*

5. The reading of the Journal of the previous day may be dispensed with on motion by a majority of the members present.

*Approval of the Journal.*

6. All Journals of the Assembly shall be corrected by the Minute Clerk and delivered by him to the Chief Clerk within seven calendar days from the date of such Journal. Such corrected Journals may thereafter be approved by a majority vote of the members present.

*Motion to Correct Journal.*

7. A motion to correct any day's Journal shall be in order prior to the approval by the Assembly of such day's Journal. The approval of the Journal shall require a majority vote of the members present.

*Presentation of Petitions.*

8. Whenever petitions, memorials or other papers are presented by a member, a brief statement of the contents thereof may be made verbally by the introducer. Petitions are not debatable and shall be filed or be referred to a committee as the Speaker shall determine. Mention of receipt of such presentation and its disposition shall be entered on the Journal.

Upon receipt of a petition for the impeachment of any person subject to impeachment by the Legislature, the Speaker shall, without comment or debate, forthwith refer such petition to committee.

*Reports of Committees.*

9. Reports of standing and special committees shall be delivered to the Chief Clerk or an assistant. They shall be read and ordered printed on the Journal unless it is ordered otherwise by the Speaker or by a majority vote of the members present.

*Messages from the Governor.*

10. Messages from the Governor shall be delivered to the Chief Clerk or an assistant, and shall be read and ordered printed on the Journal unless otherwise ordered by the Speaker or a majority vote of the members present.

*Messages from the Senate.*

11. Messages from the Senate shall be delivered to the Chief Clerk or an assistant, and shall be read and ordered printed on the Journal. The Speaker shall forthwith refer to the proper committee all Senate bills accompanying such messages, which reference shall be entered on the Journal. Assembly bills which have been passed without amendment by the Senate, shall be ordered to enrollment.

Assembly bills amended by the Senate shall be ordered placed upon the unfinished business calendar.

*Bills Defined.*

12. Wherever the word bill is used, it shall include constitutional amendments, concurrent and joint resolutions, except as otherwise specifically provided for in these rules.

*Introduction and Reference of Bills.*

13. In each legislative session on the first day when bills are introduced under "Introduction and Reference of Bills," the roll shall be called from A to Z and then back again from Z to A, and as each member's name is called, he shall have the privilege of introducing one bill, constitutional amendment, concurrent or joint resolution.

After these two roll calls, any member desiring to introduce bills, constitutional amendments, concurrent and joint resolutions may at any time during a session send the same to the Clerk's desk. When received at the Clerk's desk, it shall, under the proper order of business, be numbered, read the first time, referred to a standing committee, be printed, and a copy placed upon the desk of each member.

Bills and constitutional amendments shall not be read the first time or printed until after the Legislative Counsel has reported thereon as provided by Rule 14.

All bills, constitutional amendments, concurrent and joint resolutions introduced before the standing committees of the Assembly are appointed, shall be referred to committees, references to take effect when the committees shall be appointed.

*Introduction of Bills.*

14. When a bill or constitutional amendment has been introduced and numbered, and before it is read the first time, it shall be delivered by the Clerk to the Legislative Counsel for examination and report as to whether it appears to be within the scope of the proclamation of the Governor calling the extraordinary session. The Legislative Counsel shall report as to each such measure as promptly as may be, and prior to the end of the next legislative day, returning the measure with the report to the Clerk and transmitting a copy of the report to the author of the measure.

The report shall state briefly and without detail whether the measure appears to be within or without the scope of the proclamation, or whether the matter is doubtful.

The report of the Legislative Counsel shall not be binding upon the Assembly nor preclude further consideration of any measure, nor shall it prevent an objection being subsequently made that such measure, or any amendment made or offered thereto, is not within the scope of the proclamation.

*Examining of Bills by Legislative Counsel Bureau.*

15. After introduction, all bills shall be delivered to the Legislative Counsel for the purpose of determining if the bill is in the proper form as prescribed by law or Assembly rule. He shall have authority to correct any clerical error such as orthography, adding or correcting the enacting clause, mistakes in numbering sections and references thereto, and in any other particular wherein the bill does not comply in form with law or Assembly rule. He shall have authority to correct any error in the title of an amendatory bill wherein it does not enumerate the sections added or amended of a particular act or code.

If in the opinion of the Legislative Counsel, any correction made by him under the authority of this rule should in any manner be construed to be a change in the bill other than a change in form, he shall obtain the consent of the author of the bill before making such change.

Immediately upon the completion of the check of the bills referred to the Legislative Counsel in accordance with the provisions of this rule, he shall deliver the bills to the State Printer. Under no circumstances shall the Legislative Counsel retain in his possession any bills referred to him under the provisions of this rule for any period longer than two legislative days.

*Daily Calendar.*

16. There shall be printed an Assembly Daily Calendar for each legislative day following the constitutional recess, or at any time prior thereto when ordered by the Speaker. The Committee on Rules shall have charge of the Daily Calendar of the Assembly. The following listing shall constitute the order of the Daily Calendar:

1. Special Orders of the Day
2. Second Reading, Assembly Bills
3. Second Reading, Senate Bills
4. Unfinished Business
5. Third Reading, Assembly Bills
6. Third Reading, Senate Bills.

All bills on the Daily Calendar shall be called for consideration in the order of their listing, unless otherwise ordered by unanimous consent or an affirmative vote of two-thirds of the members present.

*Motions and Resolutions.*

17. Any motion or resolution not otherwise provided for under the rules shall be placed before the Assembly only under this order of business. Unless otherwise provided by law or Assembly rule, any motion or resolution may be adopted by a majority vote of the members present.

*Adjournment.*

18. Adjournment for the constitutional recess or adjournment *sine die* shall be ordered by concurrent resolution. The resolution for adjournment *sine die* shall be adopted by the Assembly not less than seven days before the date set therein for such adjournment.



## Duties of Assembly Officers.

### *Duties of the Speaker.*

19. The Speaker shall possess the powers and perform the duties herein prescribed:

(a) To preserve order and decorum; he may speak to points of order in preference to the other members, rising from his chair for that purpose.

(b) To decide all questions of order subject to appeal to the Assembly by any member. On every appeal, he shall have the right to assign his reason for his decision.

(c) To have general direction over the Assembly Chamber and rooms set aside for the use of the Assembly.

(d) To name any member to perform the duties of the Speaker, but such substitutions shall not extend beyond adjournment.

(e) To appoint the membership of all standing and special committees.

(f) To propose a schedule of meetings of standing committees.

(g) To have general control and direction over the Journals, papers and bills of the Assembly.

(h) To act as chairman of the Committee of the Whole.

(i) To order the lobby and gallery cleared whenever he shall deem it necessary.

(j) To assign desks to properly accredited newspaper representatives.

(k) To authenticate by his signature, when necessary, or when required by law, all bills, memorials, resolutions, orders, proceedings, writs, warrants and subpoenas issued by order of the Assembly.

### *Duties of the Speaker Pro Tempore.*

20. The Speaker Pro Tempore shall have the powers and perform the duties of the Speaker during his absence.

### *Duties of the Chief Clerk.*

21. The duties of the Chief Clerk shall be as follows:

(a) To have charge of and supervise all clerical business and printing of the Assembly.

(b) To see that the Journals, other publications and records of the Assembly are properly kept.

(c) To refuse to permit any records or papers to be taken from the desk or out of his custody, except upon duly signed receipts from persons authorized.

(d) To read or allow his assistants to read from the desk only such matter as the Speaker of the Assembly shall direct.

(e) To have general supervision over all clerks, attaches and employees, and to be responsible for their official acts and their performance of and regular attendance upon their duties.

(f) To suspend temporarily any clerk, attache or employee for incompetency or dereliction of duty, pending action by the Committee on Attaches.

(g) To perform all other duties pertaining to his office as prescribed by law or Assembly rule.

*Duties of the Sergeant-at-Arms.*

22. The duties of the Sergeant-at-Arms shall be as follows:

(a) To attend the Assembly during its session, preserve order, announce all official messengers, and serve all processes issued by authority of the Assembly and directed by the Speaker; he shall receive his actual expenses for himself or for an assistant when executing any such process.

(b) To see that no person is admitted to the Assembly Chamber except in accordance with the provisions of these rules.

(c) To have general supervision over the Assistant Sergeants-at-Arms and be responsible for their official acts and their performance of and regular attendance upon their duties.

(d) To suspend temporarily any assistant Sergeant-at-Arms for incompetency or dereliction of duty, pending action by the Committee on Attaches.

(e) To execute all commands of the Speaker.

(f) To perform all other duties pertaining to his office as prescribed by law or Assembly rule.

**Members' Decorum and Privileges.***Order in Speaking to Questions.*

23. When a member desires to address the Assembly, he shall rise from his seat and respectfully address himself to "Mr. Speaker." Upon being recognized, he may speak, confining himself to the question under consideration.

No member shall speak more than once during the consideration of any one question on the same day and at the same stage of proceeding except that the author of a bill or resolution, or the mover of a question shall have the right to close the debate thereon. No member shall be allowed to speak more than ten minutes to open and five minutes to close the debate thereon, and no member other than the author or the mover of the question shall be allowed to speak more than five minutes thereon. No member shall yield to any other member the time for which he is entitled to speak on any matter.

*Speaker to Decide Who Is Entitled to Floor.*

24. When two or more members rise at the same time, the Speaker shall designate the member to speak first.

*Members Called to Order for Transgressing Rules.*

25. If any member in speaking or otherwise, transgresses the rules of the Assembly, the Speaker shall, or any member may call the offending member to order. The member so called to order shall immediately take his seat, unless permitted to explain; if called to order by a member, such member shall immediately state the point of order. The point of order shall be decided by the Speaker without debate. If the decision of the Speaker be in favor of the member called to order, he shall be at liberty to proceed; if otherwise, he shall be required to keep his seat. Every such decision by the Speaker shall be subject to an appeal to the Assembly.

*Members Called to Order for Offensive Words.*

26. If any member be called to order for offensive words spoken in debate, the person calling him to order shall state to the Assembly the

words to which exception is taken. No member shall be held to answer, or be subject to censure by the Assembly, for language used in debate, if other business shall have been transacted by the Assembly prior to exception being taken to the words spoken.

*Members Voting.*

27. Every member actually in the Assembly Chamber when a roll call is required, shall record his vote openly and without debate, unless the Assembly shall, after he has stated his reasons for not doing so, excuse him. All motions to excuse a member shall be made before the Assembly divides, or before the recording of ayes and noes is commenced. Any member requesting to be excused from voting may make a brief oral statement of the reasons for such request, and the question shall then be decided without debate by a majority vote of the members present.

The name of any member who refuses to vote as required by this rule after being requested by the Speaker to do so and who has not been excused from doing so shall be entered on the Journal of the Assembly, together with a statement that he was present and did so refuse to vote. Any member who refuses so to vote may, if he so desires, and immediately after the announcement of the vote, submit a written explanation of his failure to vote and have such explanation printed on the Journal, provided no such explanation shall exceed fifty words in length.

In addition to the entry of his name on the Journal, any member who refuses so to vote when required, and who has not been excused from doing so, may, immediately after the announcement of the vote, in the discretion of the Speaker or upon demand of any member, be summoned to appear before the bar of the Assembly for public censure by the Speaker or by any member designated by the Speaker.

Censure of a member as provided by this rule shall not constitute a bar to proceedings for his expulsion from the Assembly pursuant to section 9 of Article IV of the Constitution.

A member may submit a written explanation of his vote on any bill or house resolution, and have such explanation printed on the Journal immediately following such vote, provided no such explanation shall exceed fifty words in length.

*Ayes and Noes.*

28. The ayes and noes shall be recorded by the electrical voting system on the final passage of all bills, or *viva voce* when demanded by three members or when ordered by the Speaker, and on any other question when called for by three members or ordered by the Speaker, the names of which members shall be entered in the Journal.

*Voting Not to Be Interrupted.*

29. When once begun, voting shall not be interrupted, except that any member may have the total pending vote flashed on the visible vote recorder and except that any member may move a call of the Assembly, after the completion of the roll and prior to the final recording and announcement of the vote.

*Changing Vote.*

30. Prior to the announcement of the vote, the Speaker shall inquire if all members have voted. After the vote is announced, no member shall be allowed to change his vote, or have his vote recorded.

*Members at Clerk's Desk.*

31. No member or other person shall be allowed at the Clerk's desk while the ayes and noes are being recorded or the votes counted.

*Tie Vote.*

32. In case of an equal division, or tie vote, the question shall be lost.

*Call of the Assembly.*

33. After the roll has been called, and prior to the announcement of the vote, any member may move a call of the Assembly. A majority of the members present may order a call of the Assembly and the Speaker shall immediately order the Sergeant-at-Arms to lock all doors and shall direct the Clerk to prepare a list of absentees as disclosed by the last roll call. Thereupon no member shall be permitted to leave the Assembly Chamber except by written permission of the Speaker and no person shall be permitted to enter except such member as is taken into custody as herein provided, or Senators, officers, attaches or employees of the Legislature in the official performance of their duties.

Those members who are found to be absent and for whom no leaves of absence have been granted, shall be forthwith taken into custody wherever found by the Sergeant-at-Arms or his assistants, and brought to the Assembly Chamber. No recess or adjournment shall be taken during a call of the Assembly. During such call the Assembly may consider and transact any matter of business by unanimous consent. A call of the Assembly may be dispensed with at any time upon a majority vote of the members present, at which time the completion of the roll call pending when the call of the Assembly was ordered, shall become the immediate order of business before the Assembly.

*Leave of Absence.*

34. No member shall absent himself from attendance at any session of the Assembly without leave of the Assembly, and no member shall obtain such leave of absence or be excused for nonattendance, except by a two-thirds vote of all members elected to the Assembly, or by unanimous consent.

*Personal Privilege.*

35. Any member may rise to explain a matter personal to himself and shall forthwith be recognized by the Speaker, but shall not discuss a question in such explanation. Such matters of personal privilege yield only to a motion to recess or adjourn.

*Objection to Reading of Any Paper.*

36. Any member upon recognition by the Speaker may object to the reading of any paper before the Assembly. After such objection, the question of reading shall be determined without debate by a majority vote of the members present, upon a brief statement of its substance by the Speaker.

*Assignment of Desks to Members.*

37. Members shall be assigned to desks by the Superintendent of Capitol Buildings and Grounds, and, so far as possible, he shall conform to the requests of members, giving due consideration to their seniority in point of service in the Assembly.

**Motions and Questions.***Precedence of Motions During Debate.*

38. When a question is under debate or before the Assembly, no motions shall be received but the following, which shall take precedence in the order named:

*First*—To adjourn;

*Second*—To recess to a time certain;

*Third*—To lay on the table;

*Fourth*—For the previous question;

*Fifth*—To set as a special order;

*Sixth*—To postpone indefinitely;

*Seventh*—To refer or re-refer;

*Eighth*—To amend.

*Questions of Order Decided Without Debate.*

39. All incidental questions of order, arising after a motion is made for any of the questions named in Rule No. 38 and pending such motion, shall be decided by the Speaker without debate, whether on appeal or otherwise.

*Appeal from Decision of the Speaker.*

40. Any member may appeal from a decision of the Speaker without waiting for recognition by the Speaker, even though another member has the floor. No appeal is in order when another is pending, or when other business has been transacted by the Assembly prior to the appeal being taken.

Upon the appeal being seconded, the Speaker may give his reasons for the decision, and shall forthwith put this question to the Assembly: "Shall the decision of the Speaker be sustained?"

An appeal can not be amended and yields only to a motion to recess or adjourn, to lay on the table, or a question of personal privilege. If an appeal be laid on the table, such action shall have no effect on the pending question.

An appeal can not be debated when relating to indecorum, transgression of rules, or priority of business. A majority vote of the members present shall decide any appeal.

*To Adjourn.*

41. A motion to adjourn is not debatable and can not be amended, and is always in order, except (a) when another member has the floor; (b) when the Assembly is voting; (c) during a call of the Assembly. The name of any member moving an adjournment and also the hour at which the motion was made and adjournment taken, shall be entered on the Journal. Such a motion to adjourn must be adopted by a majority vote of the members present.



When such a motion to adjourn is made and seconded, it shall be in order for the Speaker, before putting the question, to permit any member to state to the Assembly any fact relating to the condition of the business of the Assembly which would seem to render it improper or inadvisable to adjourn. Such statement shall not occupy more than two minutes and shall not be debatable.

*To Recess to a Time Certain.*

42. A motion to recess to a time certain shall be treated the same as a motion to adjourn, except that such motion is debatable when no business is before the Assembly, and can be amended as to the time and duration of the recess. It yields only to a motion to adjourn.

*To Lay on the Table.*

43. A motion to lay on the table is not debatable and can not be amended. If carried by a majority vote of the entire elected membership, it carries with it the main question and everything that adheres to it; provided, however, that a motion to lay an amendment on the table, if adopted, does not carry with it a bill, constitutional amendment, concurrent, joint or house resolution.

*The Previous Question.*

44. The previous question shall be put only when demanded by five members, and in this form: "Shall the question be now put?" And its effect, when sustained by a majority of the members present, shall be to put an end to all debate and bring the house to a vote only on the question then pending; except that the proponent of the matter pending shall be allowed not to exceed five minutes to close the debate.

*Motion to Set Special Order.*

45. A motion to set any matter before the Assembly as a special order of business must be adopted by a two-thirds vote of the members elected. It is debatable only as to the propriety of setting the main question as a special order of business, and may be amended only as to the time.

*Motion to Postpone to a Time Certain.*

46. A motion to postpone to a time certain shall be deemed and treated as a motion to set as a special order.

*Motion to Postpone Indefinitely.*

47. When a motion is made to postpone indefinitely any bill, motion or amendment, it opens the main question to debate. Should the motion to postpone indefinitely prevail by a majority vote of the entire membership, the main question shall not be acted upon again during the session.

*Motion to Amend.*

48. A motion to amend may itself be amended, but no "amendment to an amendment" can be amended. A motion to amend is debatable, except where the main question to be amended is not debatable. Any motion to amend may be adopted by a majority vote of the members present.

A motion to amend having been decided in the negative, shall not again be in order on the same day, or at the same stage of proceeding.

A motion to amend by striking out certain words having been decided in the negative, shall not preclude a motion to amend by adding words, or a motion to amend by striking out and inserting words; but in no case shall a further amendment be substantially the same as the one rejected.

Subject to the above provisions of this rule, a motion to amend is in order during the second or third reading of any bill.

*Amendment to Be Germane.*

49. No amendment to any bill, whether reported by a committee or offered by a member, shall be in order when such amendment relates to a different subject, or is intended to accomplish a different purpose, or requires a title essentially different from the original title of any bill.

No amendment shall be in order which adds or deletes the name of a member as an author or co-author, or which changes the original number of any bill.

*Substitute Motion.*

50. A motion to substitute shall be deemed and treated as a motion to amend.

*Motions in Writing.*

51. Upon request of the Speaker all motions shall be reduced to writing and shall be read by the Speaker before the same are acted upon.

*Consideration of Motions.*

52. No motion, whether oral or written, shall be adopted until the same shall be seconded and distinctly stated to the Assembly by the Speaker.

*Division of Questions.*

53. Any member may call for a division of the question, and the Speaker shall order the question divided if it comprehend propositions in substance so distinct that one being taken away, a substantive proposition shall remain for the decision of the Assembly.

*Resolutions.*

54. The adoption of any resolution authorizing the expenditure of money shall require an affirmative recorded vote of a majority of all members elected to the Assembly. All house resolutions shall be numbered and shall be referred to the appropriate committee by the Speaker.

*Withdrawal of Motions.*

55. After a motion is stated by the Speaker, or a bill, resolution or petition read by the Clerk, it shall be deemed to be in the possession of the Assembly.

*Motion to Be Germane.*

56. No motion or proposition on a subject different from that under consideration shall be admitted as an amendment.

*Bills Reported Back to Assembly.*

57. All committees shall act upon bills referred to them as soon as practicable, and when acted upon each bill shall be reported back to



the Assembly forthwith, and the chairman of each committee is charged with the observance of this rule.

*Motion to Withdraw and Recall Bills.*

58. A motion to withdraw a bill or resolution from committee, or to re-refer a bill or resolution from one committee to another committee may be made during the regular order of business. A motion to re-refer shall only be debatable as to the propriety of such reference.

No bill or resolution shall be withdrawn from committee and placed upon the Calendar except upon one day's notice thereof and except by a recorded vote of a majority of the elected members.

*Bills Stricken from Calendar.*

59. A motion to strike from the Calendar any bill or House Resolution requires a majority vote of the entire elected membership. Such bill shall not be acted upon again during the session.

*Motion to Rescind Action and Expunge Record.*

60. Previous to the approval of the Journal by the Assembly, any action may be rescinded and its record ordered expunged by an affirmative recorded vote sufficient to take such action originally; except that no action shall be rescinded and the record expunged by a vote less than a majority of the entire elected membership. No motion to rescind the action and expunge the record shall be made twice on the same proposition.

*Reference of Bills to Committee.*

61. Immediately following its first reading the Speaker shall refer each bill to a committee, unless upon a motion, the Assembly by a majority vote of its entire elected membership, shall refer it to some other committee. Such motion to refer a bill shall not be debatable. Should several different committees be proposed, preference shall be given as follows:

1. Committee of the Whole.
2. Standing Committee.
3. Special Committee.

*Record of Bills.*

62. The Chief Clerk shall cause to be kept a permanent record of every action taken by the Assembly on every bill, and the date of such action. Every such action and the date thereof shall also be indorsed upon such bill.

*Consideration of Constitutional Amendments, Concurrent and Joint Resolutions.*

63. Constitutional amendments, concurrent and joint resolutions may be amended by a majority of the members present and shall be treated the same as bills, except that they shall be read but once. The ayes and noes shall not be called upon the adoption of concurrent resolutions, except those presenting charter amendments or authorizing expenditures of money, unless regularly demanded or required by statute or by the Constitution.

*Second Reading of Bills.*

64. All bills shall be read the second time in the order of their appearance upon the Second Reading Calendar. Upon second reading, Assembly bills reported without amendments shall be ordered engrossed, and Senate bills reported without amendments shall be ordered to third reading.

*Committee Amendments.*

65. Committee amendments reported with bills shall be considered upon their second reading and such amendments may be adopted by a majority vote of the members present. Assembly bills so amended shall be ordered reprinted and engrossed, and Senate bills so amended shall be ordered reprinted and to third reading.

*Amendments from the Floor.*

66. Any member may move to amend a bill during its second or third reading and such motion to amend may be adopted by a majority vote of the members present. Bills so amended on second reading shall be treated the same as committee amendments. Any bill so amended upon the Third Reading Calendar, shall be reprinted and all Assembly bills so reprinted shall be ordered re-engrossed. The Chief Clerk shall order printed not to exceed 1000 copies of all amended bills.

*Committee on Engrossment and Enrollment.*

67. It shall be the duty of the Committee on Engrossment and Enrollment to compare all bills, ordered or considered engrossed by the Assembly with the engrossed copies thereof; and, before they pass out of the possession of the Assembly, see that the engrossed bill is a true copy of the original, with such amendments as may have been made thereto; and said committee shall see that all engrossed bills are reported back in the order in which they were ordered engrossed. The report of the Committee on Engrossment and Enrollment shall be in order at any time.

*Engrossing and Enrolling Bills.*

68. The Engrossing and Enrolling Clerk shall engross and enroll all bills which shall come to his hands for such purposes, in compliance with the provisions of section 539 of the Political Code, and in the order of time in which the same shall be acted upon by the Assembly.

*Bills Transmitted to the Senate.*

69. Upon the final passage of any bill, if no notice of motion to reconsider such bill be given, the Speaker shall order the bill transmitted to the Senate under signature of the Chief Clerk. Senate bills refused passage shall forthwith be returned to the Senate under similar signature.

*Bills Considered During Last Seven Days.*

70. No Assembly bill shall be passed by the Assembly within seven calendar days previous to the time set for adjournment *sine die* of the Legislature, except upon recommendation of the Speaker and permission to consider and vote on such bill being granted by a recorded vote of three-fourths of the entire elected membership of the Assembly.

*Concurrence in Senate Amendments.*

71. It shall require the same affirmative recorded vote to concur in any Senate amendment to an Assembly bill as the vote required by the Constitution for the passage of such bill. It shall require an affirmative recorded vote of two-thirds of the entire elected membership of the Assembly to concur in any Senate amendment to an Assembly bill which contains an item or items of appropriation subject to reduction or elimination under the provisions of section 34a of Article IV of the Constitution. The vote on concurrence or upon the adoption of such free conference report of the Assembly shall be deemed the vote upon final passage of such bill. When Senate amendments to an Assembly bill are concurred in, the bill shall be forthwith ordered enrolled, and the Chief Clerk shall notify the Senate of such concurrence.

*Nonconcurrence in Senate Amendments.*

72. If the Assembly refuse to concur in the Senate amendments to any Assembly bill, the Chief Clerk shall notify the Senate of such refusal and request the Senate to recede from its amendments. If the Senate so recede and notify the Assembly, the bill shall be forthwith ordered enrolled.

*Committee on Free Conference.*

73. Should the Senate refuse to recede from its amendments and so notify the Assembly, the Speaker shall thereupon appoint three members as a Committee on Free Conference. If there be a minority vote on concurrence, two of such members shall be selected from those voting against concurrence and the third member shall be selected from those voting for concurrence. The Chairman of the Senate Committee on Free Conference for the same bill shall arrange the time and place of meeting of such committee. It shall require an affirmative vote of not less than four of the members constituting the Committee on Free Conference to agree upon a report and the report shall be submitted to both the Senate and Assembly. Such report is not subject to amendment and if either house refuses to adopt such report, the conferees shall be discharged and other conferees appointed. No member who has served on a Committee on Free Conference shall be appointed a member of another Committee on Free Conference on the same bill. The presentation and consideration of any report of a Committee on Free Conference shall always be in order, except during a roll call or when a member has the floor. It shall require the same affirmative recorded vote to adopt any free conference report as required by the Constitution upon the final passage of the bill affected by such report. It shall require an affirmative recorded vote of two-thirds of the entire elected membership of the Assembly to adopt any free conference report affecting any Assembly bill which contains an item or items of appropriation which are subject to reduction or elimination under the provisions of section 34a of Article IV of the Constitution.

The vote on concurrence or upon the adoption of such free conference report by the Assembly shall be deemed the vote upon final passage of such bill.

*Enrollment.*

74. After final passage by both houses, any Assembly bill not amended by the Senate shall be forthwith ordered by the Speaker to be enrolled, as provided in section 539 of the Political Code. The Committee on Engrossment and Enrollment shall report both the day and hour each enrolled bill is presented to the Governor, which report shall be entered on the Journal.

**Committees.***Standing Committees.*

75. The standing committees of the Assembly shall be as follows:

1. A Committee on Agriculture, to consist of 17 members.
2. A Committee on Attaches, to consist of 7 members.
3. A Committee on Aviation and Aircraft, to consist of 11 members.
4. A Committee on Banking, to consist of 9 members.
5. A Committee on Building and Construction, to consist of 7 members.
6. A Committee on Building and Loan Associations, to consist of 7 members.
7. A Committee on Civil Service, to consist of 9 members.
8. A Committee on Commerce and Navigation, to consist of 9 members.
9. A Committee on Conservation, to consist of 9 members.
10. A Committee on Constitutional Amendments, to consist of 13 members.
11. A Committee on Contested Elections, to consist of 5 members.
12. A Committee on Contingent Expenses, to consist of 5 members.
13. A Committee on Corporations, to consist of 9 members.
14. A Committee on County Government, to consist of 15 members.
15. A Committee on Crime Problems, to consist of 7 members.
16. A Committee on Direct Legislation, to consist of 7 members.
17. A Committee on Education, to consist of 13 members.
18. A Committee on Elections, to consist of 11 members.
19. A Committee on Engrossment and Enrollment, to consist of 5 members.
20. A Committee on Exhibitions and Fairs, to consist of 7 members.
21. A Committee on Federal Relations, to consist of 7 members.
22. A Committee on Financial Institutions (other than banking and building and loan associations), to consist of 7 members.
23. A Committee on Fish and Game, to consist of 15 members.
24. A Committee on Governmental Efficiency and Economy, to consist of 11 members.
25. A Committee on Governmental Revenues and Expenditures, to consist of 5 members.
26. A Committee on Hospitals and Asylums, to consist of 11 members.
27. A Committee on Insurance, to consist of 11 members.

28. A Committee on Introduction of Bills, to consist of 5 members.
29. A Committee on Irrigation, to consist of 17 members.
30. A Committee on Judiciary Codes, to consist of 17 members.
31. A Committee on Judiciary General, to consist of 15 members.
32. A Committee on Labor and Capital, to consist of 13 members.
33. A Committee on Libraries, to consist of 5 members.
34. A Committee on Live Stock and Dairies, to consist of 9 members.
35. A Committee on Manufactures, to consist of 7 members.
36. A Committee on Medical and Dental Laws, to consist of 9 members.
37. A Committee on Mileage, to consist of 5 members.
38. A Committee on Military Affairs, to consist of 9 members.
39. A Committee on Mines and Mining, to consist of 9 members.
40. A Committee on Motor Vehicles, to consist of 15 members.
41. A Committee on Municipal Corporations, to consist of 13 members.
42. A Committee on Oil Industries, to consist of 9 members.
43. A Committee on Prisons and Reformatories, to consist of 11 members.
44. A Committee on Public Charities and Corrections, to consist of 9 members.
45. A Committee on Public Health and Quarantine, to consist of 9 members.
46. A Committee on Public Morals, to consist of 11 members.
47. A Committee on Public Utilities, to consist of 11 members.
48. A Committee on Revenue and Taxation, to consist of 15 members.
49. A Committee on River Navigation, Reclamation and Flood Control, to consist of 13 members.
50. A Committee on Roads and Highways, to consist of 15 members.
51. A Committee on Rules, to consist of 7 members, including the Speaker.
52. A Committee on Social Service and Welfare, to consist of 15 members.
53. A Committee on Soldiers and Sailors Affairs, to consist of 13 members.
54. A Committee on State Grounds and Parks, to consist of 7 members.
55. A Committee on State Colleges, to consist of 7 members.
56. A Committee on Unemployment, to consist of 7 members.
57. A Committee on Universities, to consist of 7 members.
58. A Committee on Ways and Means, to consist of 21 members.

*Committee Quorum.*

76. A majority of the membership of any standing committee shall constitute a quorum for the transaction of its business. At least a majority of all members constituting such committee shall be required to report a bill out of committee.



*Meetings of Standing Committees.*

77. All standing committees shall meet at the hour provided by schedule, unless otherwise ordered by the Assembly. Committees may hold such additional meetings as the chairman of the committee may deem necessary; provided, that no committee shall meet during any session of the Assembly without first obtaining permission from the Assembly.

Every scheduled committee meeting shall be open to the public, unless the committee by a majority vote of its entire membership shall order an executive session.

*Standing Committee Rules.*

78. The Rules of the Assembly shall govern the conduct of all committee meetings whenever practicable. Each committee may adopt, by a majority vote of its entire membership, such additional rules as it may deem necessary for the conduct of any business referred to such committee.

*Signing Bills Out of Committee.*

79. No bills shall be signed out of committee unless the committee has failed to hold a meeting on two consecutive scheduled dates, or having so met, has failed to have a quorum present for the transaction of business.

*Committee Expenditures.*

80. No member or committee shall be permitted to incur any expense without first receiving the consent of the Assembly, except that the Chairman of the Committee on Ways and Means shall be allowed his actual expenses for the performance of any duties of his office during the constitutional recess.

*Committee on Attaches.*

81. The Committee on Attaches shall recommend the appointment of all attaches and employees of the Assembly not otherwise provided for by statute. It shall have authority to suspend, with or without pay, any such attache or employee for incompetency or dereliction of duty, pending final action by the Assembly.

*Committee on Ways and Means.*

82. The Committee on Ways and Means shall consider all bills to appropriate money, other than contingent expenses of the Assembly, and other than bills affecting existing departments of State Government which do not increase or decrease the salaries or expenses of such departments.

Whenever requested by the Assembly, the Chairman of the Committee on Ways and Means shall report the exact condition of legislation involving appropriations and the aggregate amount of all proposed appropriations pending before the committee. The committee may also report whenever necessary, their opinion as to the condition of the State revenues and expenditures.

*Committee of the Whole.*

83. The Assembly may resolve itself into a Committee of the Whole at any time by a majority vote of the members present. The Speaker of the Assembly, or any member named by the Speaker, shall preside

as Chairman of the Committee of the Whole. The Rules of the Assembly shall be observed in the Committee of the Whole so far as they may be applicable, except that the ayes and noes need not be taken.

A motion that the Committee of the Whole "do now rise and report back to the Assembly," shall always be in order, and shall be decided without debate. All actions of the Committee of the Whole shall be reported to the Assembly by the chairman, but shall not be entered on the Journal except upon motion and a majority vote of the members present.

#### *Reconsideration of Vote.*

84. Notice of a motion to reconsider on the next legislative day, the vote whereby any bill, constitutional amendment, concurrent or joint resolution was passed or refused passage, must be given on the same day such vote to be so reconsidered was taken.

A notice of motion to reconsider a vote must be given by a member voting on the bill, constitutional amendment, concurrent or joint resolution, and shall take precedence over all motions, except a motion to adjourn. Upon such notice of motion being given, the bill, constitutional amendment, concurrent or joint resolution shall forthwith be placed upon the Unfinished Business Calendar, and no further action shall be taken prior to the next legislative day. When a notice of a motion to reconsider has once been made, the same shall be considered to be the property of the Assembly. The notice of motion to reconsider may be called up by any member on the next legislative day after the notice of reconsideration of the bill, constitutional amendment, concurrent or joint resolution has been given.

Any member voting on any motion, amendment, concurrence, recedence, Assembly resolution or proposition other than a bill, constitutional amendment, concurrent or joint resolution, may give notice of reconsideration of the vote whereby the same was passed or refused passage on the same day such vote to be reconsidered was taken, which notice shall suspend all further consideration until the next legislative day; provided, however, that a motion to reconsider on the same day the notice was given shall take precedence over and above such notice and upon demand of any member must be put to an immediate vote. A motion to reconsider any proposition other than a bill, constitutional amendment, concurrent or joint resolution shall require an affirmative recorded vote of a majority of the entire elected membership.

No notice of motion for reconsideration shall be in order on the day preceding the last day for consideration of Assembly or Senate bills in the Assembly. No motion to reconsider shall be adopted except upon an affirmative recorded vote of a majority of the entire elected Assembly membership, except that constitutional amendments to be so reconsidered shall require an affirmative recorded vote of two-thirds of the entire Assembly elected membership.

When reconsideration is granted, the bill shall resume its exact position before the Assembly previous to its being voted upon.

#### **Printing.**

##### *Authority for Printing.*

85. The State Printer shall not charge any printing or other work to the Assembly other than provided by law or Assembly rule, except



upon a written order signed by the Chief Clerk of the Assembly and countersigned by the Chairman of the Committee on Rules or by the Speaker, and delivered to him prior to beginning such printing or work. All invoices for printing furnished the Assembly shall be rendered by the State Printer within 30 days after completion of said printing. When necessary, the Chief Clerk may order certain printed matter completed in advance of its regular order by the issuance of a rush order.

*Printing Style, Form and Amount to Be Printed.*

86. Unless otherwise restricted by law or by Assembly rule, the style and form of all printing, the quality of paper to be used, and the number of copies to be printed of each order, shall be decided by the Chief Clerk and approved by the Speaker or Chairman of Committee on Rules. All requests by members for additional copies of bills, documents or other printed matter shall be referred to the Committee on Rules.

*Printing Assembly History.*

87. The Chief Clerk shall cause to be compiled and printed during the constitutional recess, a Legislative Handbook and a Semi-Final Assembly History, together with an index, setting forth a complete History showing all actions on bills, constitutional amendments, concurrent, joint and house resolutions prior to the constitutional recess.

During the remainder of the session, the Chief Clerk shall cause to be printed and placed upon each member's desk prior to convening on Monday of each week, a complete History showing all actions taken upon each measure up to and including the legislative day preceding its issuance. For each legislative day intervening between the issuance of such Weekly History, there shall be printed a Daily Supplemental History showing only actions taken upon any measure since the issuance of the preceding Weekly History.

*Printing of Maps.*

88. Maps or charts accompanying documents other than bills shall not be printed without special authority from the Assembly by a majority vote of its entire elected membership.

**Rules.**

*Adoption of Standing Rules.*

89. The adoption of the Standing Rules shall require an affirmative recorded vote of a majority of the entire elected membership. When once adopted, such Standing Rules shall remain in effect, unless suspended or amended as provided in these rules.

*Parliamentary Rules.*

90. Roberts Rules of Order shall be the recognized authority on all occasions when the Assembly Rules are not applicable.

*Suspension of Rules.*

91. Unless otherwise specifically provided by law or Assembly rule, any standing rule of the Assembly may be suspended temporarily by a vote of two-thirds of the members present, provided that such

temporary suspension shall apply only to the matter under immediate consideration, and in no case shall it extend beyond an adjournment.

#### *Amending Standing Rules.*

92. No standing rule of the Assembly shall be amended except by an affirmative recorded vote of a majority of the entire elected membership of the Assembly and one day's notice must be given on the motion thereof.

#### *Temporary Rule.*

93. The Committee on Rules may at any time report a temporary rule. Upon adoption by an affirmative recorded vote of two-thirds of the entire elected membership of the Assembly, such temporary rule shall have the effect for the time being, of a standing rule. If such temporary rule shall be in conflict with a standing rule, it shall supersede such standing rule only for the time being.

A motion proposing to increase or diminish the membership of a standing committee or the number of standing committees, shall not be considered until the same shall have been referred to and approved by the Committee on Rules.

### **Miscellaneous.**

#### *Press Privileges.*

94. Newspaper correspondents desiring Assembly press cards and privileges shall make written application to the Speaker. The Assembly by a majority vote of the members present may revoke any press card.

The Speaker shall assign the Assembly press desks; also the necessary rooms for the exclusive use of such accredited press representatives.

#### *Privilege of Addressing the Assembly.*

95. No person other than a member of the Assembly shall be permitted to address the Assembly except in the Committee of the Whole.

#### *Smoking in Assembly Chamber.*

96. Smoking may be prohibited temporarily during any session of the Assembly by a majority vote of the members present.

#### *Fees for Witnesses.*

97. Each witness summoned to appear before the Assembly or any of its committees shall receive the sum of five dollars for each day such witness shall be required to appear, and the sum of three and one-half cents for each mile he shall travel in coming to and going from the place of examination.

#### *Use of Assembly Chamber.*

98. The Assembly Chamber shall not be used for any public or private business other than legislative matters, during the sessions of the Legislature, except by consent of a majority of the entire elected membership of the Assembly.

#### *Persons Admitted to Floor of the Assembly.*

99. No persons other than members, officers, attaches, employees of the Legislature, former members of the Legislature, and accredited members of the press, shall be admitted to the floor of the Assembly

during any session of the Assembly; provided, that a guest of any member shall be admitted, upon presentation of a guest card of said member, countersigned by the Speaker, such guest card being valid only on the legislative day for which it was issued.

All guests shall be seated only in the chairs in the rear of the Assembly Chamber and shall not be permitted to sit at the desks of the members while the Assembly is in session. No person other than an accredited newspaper representative shall be permitted to sit at the press desks. A special section in the balcony shall be reserved for those holding guest cards.

*Lobbying in the Assembly Chamber.*

100. All persons appearing, or being, or desiring to appear, or be, at or in the Assembly Chamber, or at or in any committee room of the Assembly for the purpose of advocating the adoption, or defeat of any bill, measure or resolution, introduced in, pending before, or being considered by the Assembly, or by any committee thereof, or for the purpose of soliciting the vote of any member of the Assembly upon any such bill, measure, or resolution, shall register with the Sergeant-at-Arms, his name and address, together with a statement of the person or persons, corporation or corporations, or interest represented by or intended to be represented by him, and shall file with the Sergeant-at-Arms his written authority to represent such person, corporation or interest, and thereupon the Sergeant-at-Arms shall issue to such person a certificate that he has so registered in conformity with this rule, which certificate shall be exhibited to the chairman of a committee upon request. A complete record of all persons so registered, together with their respective addresses, and the persons, corporations or interest represented by them, shall be kept, and preserved by the Sergeant-at-Arms, and shall be open at all times to public inspection.

This rule shall not apply to members of either house of the Legislature, to elected State officers, or citizens of the State of California appearing in their own interest or behalf who are not representing any group, organization or corporation.

No person shall appear at or enter the Assembly Chamber, or any committee room of the Assembly, for the purpose of advocating the adoption or defeat of any bill, measure or resolution, without first having registered and secured the certificate, as herein provided.

No person engaged in presenting to the Assembly or its committees any business, or claim, or legislation, shall be permitted to engage in such business in the Assembly Chamber, or be permitted on the floor of the Assembly at any time while the Assembly is in session; and any person transgressing this rule shall be removed from the floor of the Assembly and be debarred from the privilege of the floor during the remainder of the entire session. The Speaker is charged with the enforcement of this rule. This rule can not be suspended except by a two-thirds vote of the entire elected membership of the Assembly.

*Speaker Explains Order of Business.*

101. The Speaker may, on his own motion or upon the motion of any member of the Assembly, explain the order of business when the motion pending before the Assembly is not debatable. Such explanation is not to consume more than two minutes.

### Admission to Assembly Chamber.

102. Persons admitted to the Assembly Chamber, other than members and attaches, shall not be permitted to stand in the lobby in the rear of the Assembly Chamber while the Assembly is in session, but shall be required to occupy the seats provided for them.

### Resolutions.

#### House Resolution No. 5.

By the Committee on Attaches:

*Resolved by the Assembly of the State of California,* That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants in favor of the respective persons for the said respective amounts, and the Treasurer is hereby directed to pay the same:

*For September 13, 1940, only:*

	Per day
Rev. Raymond Lull Bailey, Chaplain.....	84 00
Jack Carl Greenburg, Chief Clerk.....	10 00
David V. Oliver, Minute Clerk.....	9 00
Wilkie Ogg, Sergeant-at-Arms.....	8 00
Frank Reed, History Clerk.....	7 00
Albert Day, Journal Clerk.....	7 00
Lillian Larkin, Stenographer.....	5 00
Michael Connolly, Assistant Sergeant-at-Arms.....	5 00
Robert M. Guy, Assistant Sergeant-at-Arms.....	5 00
Francois Ogg, Assistant Sergeant-at-Arms.....	5 00
Ed Nathan, Assistant Sergeant-at-Arms.....	5 00
Jack Lawson, Assistant Sergeant-at-Arms.....	5 00
Ed Harrison, Assistant Sergeant-at-Arms.....	5 00
William Murphy, Chief Page.....	3 00
Harold McKenzie, Page.....	2 50
Louis Desmond, Page.....	2 50
Domingo Correa, Page.....	2 50
Jack Shafer, Page.....	2 50

DESMOND, Chairman, Committee on Attaches.

#### Request for Unanimous Consent.

Mr. Desmond asked for, and was granted, unanimous consent to consider House Resolution No. 5, at this time, without reference to committee.

House Resolution No. 5 read, and adopted by the following vote:

**AYES**—Allen, Andreas, Atkinson, Bashore, Burns, Hugh M., Burns, Michael J., Burson, Chll, Carlson, Cassidy, Clarke, Collins, Corwin, Cronin, Crowley, Daley, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Fulcher, Gallagher, Gannon, Gilmore, Green, Hawkins, Johnson, Kellems, Kepple, Kilpatrick, Knight, Kuchel, Leonard, Lore, Lyon, Maloney, Mussion, Salsman, Sawallisch, Seudder, Stream, Tenney, Thurman, Waters, Watson, Weybret, Williamson, Wollenberg, Yorty, and Mr. Spunker—60.

**NOES**—None.

By Mr. Waters:

#### House Resolution No. 6.

*Resolved by the Assembly of the State of California,* That the State Controller be and he is hereby directed and ordered to draw his warrants upon the proper fund in favor of the following named officers and members of the Assembly for the amounts set opposite their names, and the State Treasurer is hereby directed and ordered to pay the same:

District	Name	Address	Distance from county seat	Distance from county seat, less	Distance from county seat, more	Mileage one way	Total mileage	Amount at 5 cents per mile
1	Michael J. Burns	Enoka, Humboldt County	312	--	--	--	624	\$31 20
2	Clinton J. Fulcher	Coalinga, Modoc County	324	--	44	280	560	28 00
3	John H. O'Donnell	Woodland, Yolo County	23	--	--	--	46	2 30

District	Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
4	Seth Millington	Gridley, Butte County	86		14	72	144	\$7 20
5	Ernest C. Crowley	Salus, Solano County	48				96	4 80
6	Allen G. Therman	Colfax, Placer County	37	17		54	108	5 40
7	Hubert B. Scudder	Schastopol, Sonoma County	90	7		97	194	9 70
8	Chester F. Gammon	Sacramento, Sacramento County						
9	Earl D. Desmond	Sacramento, Sacramento County						
10	Harold F. Sawallisch	Richmond, Contra Costa County	62	22		81	168	8 40
11	Charles M. Weber	Stockton, San Joaquin County	18				96	4 80
13	James M. Cassidy	Oakland, Alameda County	84				168	8 40
14	George P. Miller	Alameda, Alameda County	84	5		89	178	8 90
15	Bernard A. Sheridan	Oakland, Alameda County	81				168	8 40
16	Arthur W. Carlson	Piedmont, Alameda County	84				168	8 40
17	Henry P. Meehan	Oakland, Alameda County	81				168	8 40
18	James H. Phillips	Oakland, Alameda County	84				168	8 40
19	Gardiner Johnson	Berkeley, Alameda County	84		1	83	166	8 30
20	Thomas A. Maloney	San Francisco, San Francisco County	90				180	9 00
21	Joseph P. Gilmore	San Francisco, San Francisco County	90				180	9 00
22	George D. Collins, Jr.	San Francisco, San Francisco County	90				180	9 00
23	Dan Gallagher	San Francisco, San Francisco County	90				180	9 00
24	Edward F. O'Day	San Francisco, San Francisco County	90				180	9 00
25	Melvin I. Cronin	San Francisco, San Francisco County	90				180	9 00
26	Ray Williamson	San Francisco, San Francisco County	90				180	9 00
27	Albert C. Wollenberg	San Francisco, San Francisco County	90				180	9 00
28	Robert Miller Green	San Francisco, San Francisco County	90				180	9 00
29	Harrison W. Call	Redwood City, San Mateo County	119				238	11 90
30	Byrl R. Salsman	Palo Alto, Santa Clara County	128	18		146	292	14 60
32	Hugh P. Donnelly	Turlock, Stanislaus County	77	14		91	182	9 10
33	George A. Clarke	LeGrand, Merced County	114	15		129	258	12 90
34	Jacob M. Leonard	Hollister, San Benito County	173				346	17 30
35	Fred Weybret	Soledad, Monterey County	208	24		232	464	23 20
36	Hugh M. Burns	Fresno, Fresno County	169				338	16 90
37	S. L. Helsingier	Fresno, Fresno County	169				338	16 90
38	Gordon H. Garland	Woodlake, Tulare County	206	16		222	444	22 20
39	Alfred W. Robertson	Santa Barbara, Santa Barbara County	460				920	46 00
40	Rosecoe W. Burson	Fillmore, Ventura County	490	27		517	1034	51 70
41	Rodney L. Turner	Delano, Kern County	278		30	248	496	24 80
42	Elmer E. Loe	North Hollywood, Los Angeles County	447				894	44 70
43	C. Don Field	Glendale, Los Angeles County	447		10	437	874	43 70
44	John B. Pelletier	Los Angeles, Los Angeles County	447				894	44 70
45	Thomas J. Doyle	Los Angeles, Los Angeles County	447				894	44 70
46	Jack B. Teoney	Inglewood, Los Angeles County	447	10		457	914	45 70
47	Eleanor Miller	Pasadena, Los Angeles County	447	13		460	920	46 00
48	T. Fenton Knight	La Canada, Los Angeles County	447	16		463	926	46 30
49	Lee T. Bashore	Glendora, Los Angeles County	447	26		473	946	47 30
50	Gerald C. Kepple	Whittier, Los Angeles County	447	15		462	924	46 20
51	F. Ray Bennett	Los Angeles, Los Angeles County	447				894	44 70
53	Frederick F. Houser	Alhambra, Los Angeles County	447	9		456	912	45 60
55	Vernon Kilpatrick	Los Angeles, Los Angeles County	447				894	44 70
56	Norris Poulson	Los Angeles, Los Angeles County	447				894	44 70
58	Frank J. Waters, Jr.	Los Angeles, Los Angeles County	447				894	44 70
59	Charles W. Lyon	Los Angeles, Los Angeles County	447				894	44 70
60	Jesse Randolph Kellams	Los Angeles, Los Angeles County	447				894	44 70
62	Augustus F. Hawkins	Los Angeles, Los Angeles County	447				894	44 70
63	Don A. Allen	Los Angeles, Los Angeles County	447				894	44 70
64	Samuel W. Yorty	Los Angeles, Los Angeles County	447				894	44 70
65	John W. Evans	Los Angeles, Los Angeles County	447				894	44 70
66	Jack Massion	Los Angeles, Los Angeles County	447				894	44 70
67	Cecil R. King	Los Angeles, Los Angeles County	447				894	44 70
69	Ralph C. Dills	Compton, Los Angeles County	447	18		465	930	46 50
70	Marilee E. Atkinson	Long Beach, Los Angeles County	447	22		469	938	46 90
72	Godfrey A. Andreas	Ypland, San Bernardino County	508	22		530	1060	53 00
73	Gordon W. Corwin	Redlands, San Bernardino County	508	9		517	1034	51 70
74	Clyde A. Watson	Orange, Orange County	481				962	48 10
75	Thomas A. Knebel	Anaheim, Orange County	481	7		488	976	48 80
76	Nelson S. D'Worth	Hemet, Riverside County	512	34		546	1092	54 60
77	Clarence R. Walker	Westmorland, Imperial County	661		22	639	1278	63 90
78	Jeanette E. Daley	San Diego, San Diego County	573				1146	57 30
79	Paul A. Riehl	San Diego, San Diego County	573				1146	57 30
80	Charles W. Strum	Palm City, San Diego County	573	13		586	1172	58 60





*California Real Estate Magazine*—Glenn D. Willaman.  
*California Republican*—Robert Craig.  
*CBS-KNX News*—Maxwell Pollard.  
*Claremont Press*—Warren Breed.  
*Claris Tribune and Friant Projector*—Fred H. Weigel, George W. White-sell.  
*Columbia Broadcasting System, Los Angeles*—Fox Case.  
*Colusa Daily Times*—W. P. Dwyer.  
*Film Daily*—Mrs. Hulda McGinn.  
*Fresno Bee; Modesto Bee*—Frank H. Irwin.  
*Glendale News Press*—John B. Long.  
*Governmental Research Bureau*—Walter B. Fawcett, Joseph L. Colby, Stark Luck.  
*Human News*—Ellsworth M. Martin.  
*Independent Democrat*—Capt. Walter R. Bethel.  
*International News Service*—Ed Labowitch, Neil Toohy, Spencer Davis, Robert Whentley.  
*Legislative News Service*—Jack Cartwright.  
*Light-Democrat Leader Publishing Co.*—J. L. Akerman.  
*Lodi Times*—Clifton H. Moore.  
*Los Angeles Examiner*—Joseph Timmons.  
*Los Angeles Times*—Chester G. Hanson.  
*Meridian Index*—Bradford W. Melvin.  
*Mining and Industrial News*—Claude M. Chaplin.  
*Motor Land*—William F. Kileline, Edwin S. Moore.  
*National Ham and Eggs*—Steve Merrill.  
*National Motorist*—Gene Hogle.  
*Oakland Tribune*—Wesley E. Robbins.  
*Officials on Parade*—Radio KGER—A. Beldon Gilbert.  
*Pacific Coast Journal of Nursing*—William H. Rawson.  
*Pacific Sportsman*—John C. Piver.  
*People's World*—Al Richmond, Jack Quayle.  
*Public Relations Director—Democratic State Central Committee*—David L. Foutz.  
*Railway Labor News; Railroad Time Book; Progressive Railway Journal*—M. F. O'Malley, James M. Murphy.  
*Sacramento Bee*—Herbert L. Phillips, Edward H. Dickson, Bert Vaughn, Walter P. Jones, Alex Ashen, Rudy Hickey, Hamilton Hintz, Myron V. Depew, George Helmer, Wayne B. Sellick, Steve Kyle, Johnson Hill.  
*Sacramento Union*—Millard Browne.  
*San Fernando Valley Times*—Richard Fenton, Robert E. Hines.  
*San Francisco Call-Bulletin*—Lynn Fox.  
*San Francisco Chronicle*—Earl C. Behrens.  
*San Francisco Examiner*—R. W. Jimerson, William H. Jordan, Jack Welter, Jack Johnson.  
*San Francisco News*—Brooke Clyde.  
*San Jose Evening News*—George H. Payne.  
*San Mateo Times*—Jack Cartwright.  
*San Rafael Independent*—Ross Marshall.  
*Selma Irrigator*—Stanford Farnsworth.  
*Shipping Register*—John C. Piver.  
*State News Syndicate*—Gene Desimone.  
*Stockton Record*—Verne Scoggins.  
*Underwriters' Rept., Inc.*—Mike O'Sullivan.  
*United Press*—J. W. Dunlap, J. F. McLaughlin, Newton Stearns, Havelock Hunter, Norman Pollock, Lloyd Lapham, Kenneth Leake.  
*Variety*—Arthur Ungar, W. H. Lollier.  
*Young Republicans of California*—V. A. Chapman.

### Announcement of Standing Committees.

The Speaker announced the appointment of the following standing committees of the Assembly, fifty-third (third extraordinary) session:

**Agriculture**—Corwin (Chairman), Burns, Hugh M., Clarke, Daley, Desmond, Dilworth, Donnelly, Heisinger, Knight, Leonard, Lore, Millington, Robertson, Sender, Thorp, Walker and Watson.

**Attaches**—Desmond (Chairman), Allen, Fuleher, Lyon, Stream, Watson and Voigt.

**Aviation and Aircraft**—Green (Chairman), Corwin, Cronin, Field, Kellems, King, Poulson, Redwine, Tenney and Williamson.

**Banking**—Williamson (Chairman), Bennett, Crowley, Gallagher, Green, Lyon, Meehan, Millington and Redwine.

**Building and Construction**—Heisinger (Chairman), Atkinson, Lore, Meehan, Salsman and Weber.

**Building and Loan**—Poulson (Chairman), Bennett, Crowley, Doyle, Houser, Pelletier and Tenney.



**Civil Service**—Sheridan (Chairman), Crowley, Donnelly, Evans, Gallagher, Gannon, Houser, Leonard and O'Donnell.

**Commerce and Navigation**—Maloney (Chairman), Atkinson, Gallagher, Gilmore, King, Leonard, Miller, George P., Sheridan and Weber.

**Conservation**—Knight (Chairman), Bashore, Dilworth, Kilpatrick, Redwine, Thurman, Walker, Weber and Weybret.

**Constitutional Amendments**—Call (Chairman), Bennett, Fulcher, Gannon, Hawkins, King, Lyon, Maloney, Pelletier, Scudder, Tenney, Williamson and Wollenberg.

**Contested Elections**—Massion (Chairman), Burson, Gilbert, Burns, Michael J., and Weybret.

**Contingent Expenses**—Hawkins (Chairman), Fuleher, Gilbert, Leonard and Burns, Michael J.

**Corporations**—Carlson (Chairman), Burns, Michael J., Cassidy, Collins, Doyle, Hawkins, Heisinger, Salsman and Thurman.

**County Government**—Bashore (Chairman), Andreas, Carlson, Clarke, Collins, Cronin, Crowley, Desmond, Gilmore, Kilpatrick, Kuchel, Meehan, O'Day and Sawallisch.

**Crime Problems**—Richie (Chairman), Atkinson, Doyle, Gilmore, Kellems, Miller, Eleanor; and Wollenberg.

**Direct Legislation**—Redwine (Chairman), Collins, Crowley, Del Mutolo, Phillips, Waters and Wollenberg.

**Education**—Leonard (Chairman), Del Mutolo, Dills, Evans, Gilbert, Green, Johnson, Miller, Eleanor; Richie, Robertson, Sawallisch, Weber and Williamson.

**Elections**—Del Mutolo (Chairman), Cassidy, Collins, Evans, Gilmore, Maloney, O'Day, Sheridan, Voigt and Waters.

**Engrossment and Enrollment**—Cassidy (Chairman), Burns, Michael J., Heisinger, Johnson and Kuchel.

**Exhibitions and Fairs**—Dilworth (Chairman), Doyle, Leonard, Miller, George P., Thorp and Walker.

**Federal Relations**—Andreas (Chairman), Carlson, Cassidy, Evans and Phillips.

**Financial Institutions**—Lyon (Chairman), Dills, Johnson, King, Turner, Williamson and Yorty.

**Fish and Game**—Watson (Chairman), Allen, Call, Carlson, Fuleher, Gallagher, King, Kuchel, Miller, George P., Redwine, Robertson, Salsman, Scudder, Thurman and Voigt.

**Governmental Efficiency and Economy**—Field (Chairman), Allen, Cronin, Gilbert, Kepple, Lore, Miller, Eleanor; O'Donnell, Poulson, Stream and Turner.

**Governmental Revenues and Expenditures**—Salsman (Chairman), Green, Kepple, Pelletier and Wollenberg.

**Hospitals and Asylums**—Burson (Chairman), Andreas, Cassidy, Corwin, Daley, Knight, Maloney, Miller, Eleanor; O'Day, Scudder and Voigt.

**Insurance**—Scudder (Chairman), Cronin, Desmond, Gallagher, Hawkins, Maloney, Meehan, Miller, George P., Robertson, Salsman and Sawallisch.

**Irrigation**—Walker (Chairman), Burns, Hugh M., Clarke, Corwin, Desmond, Donnelly, Heisinger, Kilpatrick, Lore, Massion, O'Donnell, Pelletier, Stream, Thorp, Weber, Weybret and Del Mutolo.

**Judiciary Codes**—Gannon (Chairman), Call, Carlson, Crowley, Del Mutolo, Desmond, Green, Kepple, Kuchel, Millington, O'Donnell, Redwine, Robertson, Sawallisch, Sheridan, Williamson and Wollenberg.

**Judiciary General**—Phillips (Chairman), Bennett, Collins, Cronin, Dills, Houser, Johnson, Lyon, O'Day, Richie, Salsman, Waters and Yorty.

**Labor and Capital**—Yorty (Chairman), Gilbert, Kilpatrick, Maloney, Hawkins, Evans, Pelletier, Phillips, Richie, Tenney and Williamson.

**Libraries**—Clarke (Chairman), Dills, Kuchel, Miller, Eleanor; and Poulson.

**Live Stock and Dairies**—Weybret (Chairman), Clarke, Cassidy, Desmond, Dills, Donnelly, Heisinger, Sawallisch and Thorp.

**Medical and Dental Laws**—Cronin (Chairman), Burns, Hugh M., Corwin, Gilmore, Kellems, Knight, Massion and Richie.

**Manufactures**—Thorp (Chairman), Carlson, Collins, Crowley, Maloney, Massion and Wollenberg.

**Mileage**—Waters (Chairman), Bashore, Gilbert, Meehan and Tenney.

**Military Affairs**—Miller, George P. (Chairman), Andreas, Call, Cronin, Dilworth, Gannon, Kellems, Tenney and Voigt.

**Mines and Mining**—Thurman (Chairman), Clarke, Corwin, Dilworth, Doyle, Fulcher, Johnson, Redwine and Turner.

**Motor Vehicles**—Fulcher (Chairman), Burson, Call, Clarke, Daley, Doyle, Field, Gallagher, Heisinger, Lore, Lyon, Pelletier, Phillips, Sawallisch and Waters.

**Municipal Corporations**—Kuchel (Chairman), Allen, Bennett, Daley, Green, Johnson, Massion, Phillips, Salsman, Sheridan, Waters and Yorty.

**Oil Industries**—Houser (Chairman), Burson, Daley, Dills, Field, Kuchel, Millington, O'Donnell and Turner.

**Prisons and Reformatories**—Wollenberg (Chairman), Andreas, Atkinson, Burson, Cassidy, Evans, Gannon, Kilpatrick, Maloney, Miller, Eleanor; and Phillips.

**Public Charities and Corrections**—Bennett (Chairman), Atkinson, Burson, Carlson, Kilpatrick, Seudder, Stream and Thurman.

**Public Health and Quarantine**—Burns, Hugh M. (Chairman), Field, Gilmore, King, Massion, Poulson, Tenney, Waters and Watson.

**Public Morals**—Miller, Eleanor (Chairman), Atkinson, Dilworth, Gannon, Gilbert, Houser, Knight, Meehan, Thorp, Williamson and Watson.

**Public Utilities**—Allen (Chairman), Bashore, Burson, Call, Gannon, Hawkins, Knight, Millington, Phillips, Watson and Yorty.

**Revenue and Taxation**—Turner (Chairman), Allen, Call, Carlson, Daley, Dilworth, Field, Fulcher, Kellems, Lyon, Sawallisch, Seudder, Voigt, Wollenberg and Yorty.

**River Navigation, Reclamation and Flood Control**—Weber (Chairman), Atkinson, Bashore, Burns, Hugh M., Clarke, Collins, Dilworth, Kepple, Kuchel, Leonard, Redwine, Thorp and Weybret.

**Roads and Highways**—Stream (Chairman), Allen, Andreas, Bashore, Del Mutolo, Fulcher, Gilmore, Leonard, Massion, Meehan, O'Day, Robertson, Sawallisch, Walker and Weybret.

**Rules**—Desmond (Chairman), Burns, Hugh M., Hawkins, Kepple, Lyon and Millington.

**Social Service and Welfare**—Daley (Chairman), Bashore, Yorty, Gallagher, Green, Heisinger, Houser, Johnson, Kepple, Lore, Millington, O'Day, Poulson, Watson and Weybret.

**Soldiers and Sailors Affairs**—Kepple (Chairman), Andreas, Atkinson, Del Mutolo, Donnelly, Houser, Kellems, Miller, George P., O'Donnell, Poulson, Seudder and Walker.

**State Colleges**—Kellems (Chairman), Burns, Hugh M., Burns, Michael J., Richie, Robertson, Stream and Weybret.

**State Grounds and Parks**—Doyle (Chairman), Burns, Michael J., Donnelly, Leonard, Stream and Thurman.

**Unemployment**—King (Chairman), Bennett, Houser, Kilpatrick, O'Donnell and Pelletier.

**Universities**—Johnson (Chairman), Dills, Evans, Kellems, Richie, Sheridan and Waters.

**Ways and Means**—Millington (Chairman), Allen, Burns, Hugh M., Corwin, Daley, Donnelly, Field, Gannon, Hawkins, Kepple, Knight, Miller, Eleanor; Miller, George P., O'Day, Sheridan, Thurman, Turner, Voigt, Walker, Weber and Williamson.

### **Motion to Refer Bills to Legislative Counsel.**

On motion of Mr. Maloney, all bills were ordered referred to the Legislative Counsel before introduction.

### **Resolutions.**

#### **House Resolution No. 7.**

By Messrs. Tenney, Waters, Allen, Andreas, Atkinson, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Burson, Call, Carlson, Cassidy, Clarke, Collins, Corwin, Cronin, Crowley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Fulcher, Gallagher, Gannon, Garland, Gilbert, Gilmore, Green, Hawkins, Heisinger, Houser, Johnson, Kellems, Kepple, Kilpatrick, King, Knight, Kuchel, Leonard, Lore, Maloney, Massion, Meehan, Miller, Millington, O'Day, Pelletier, Phillips, O'Donnell, Poulson, Redwine, Richie, Robertson, Salsman, Sawallisch, Seudder, Sheridan, Stream, Thorp, Thurman,

Turner, Voigt, Walker, Watson, Weber, Weybret, Williamsons, Wollenberg, Yorty, Miss Miller and Mrs. Daley.

Relative to the birthday of the Honorable Charles W. Lyon.

WHEREAS, It is a rare occasion only that the Legislature is in session on the thirteenth day of September, and

WHEREAS, The thirteenth day of September, 1887, was the day of the birth of one of the Assembly's most distinguished members, the Honorable Charles W. Lyon; and

WHEREAS, Throughout the years of his service as a member of this Assembly the Honorable Charles W. Lyon has won the deep affection of his colleagues by his unfailing tact, courtesy, and good fellowship; and has earned the profound respect of his colleagues through his abilities as a statesman and parliamentarian; and

WHEREAS, This unique opportunity for this Assembly to be in session on the birthday of the Honorable Charles W. Lyon may never again present itself; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the members of the Assembly hereby express their wish to the Honorable Charles W. Lyon for a happy birthday and their hope that he will have many more of them, and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to have this resolution appropriately engraved and laminated and present it to the Honorable Charles W. Lyon as some small token of the deep affection, respect and esteem which the members of this Assembly have for the Honorable Charles W. Lyon as a lawyer, a legislator, and as a friend.

#### Request for Unanimous Consent.

Mr. Tenney asked for, and was granted, unanimous consent to consider House Resolution No. 7, at this time, without reference to committee.

House Resolution No. 7 read, and adopted.

#### House Resolution No. 8.

By Mr. Desmond:

*Resolved*, That the Controller be and is hereby authorized and directed to draw his warrants on the Contingent Expense Fund of the Assembly in favor of

Department of Finance	813 25
Pacific Telephone and Telegraph Co.	16 10
Western Union Telegraph Co.	11 92
Postal Telegraph Co.	3 50
Railway Express Agency	10 27
Bureau of Purchases	3 75
H. S. Crocker Co.	15 91

#### Request for Unanimous Consent.

Mr. Desmond asked for, and was granted, unanimous consent to consider House Resolution No. 8, at this time, without reference to committee.

House Resolution No. 8 read, and adopted by the following vote:

AYES—Allen, Andreas, Atkinson, Bashore, Bennett, Burns, Hugh M. Burns, Michael J. Burson, Call, Carlson, Cassidy, Clarke, Collins, Corwin, Cronin, Crowley, Daley, Desmond, Dells, Dilworth, Doyle, Evans, Field, Fulcher, Gallagher, Gannon, Gilmore, Green, Heisiger, Houser, Johnson, Kellems, Kepple, Kilpatrick, Knight, Kuchel, Leonard, Lore, Lyon, Maloney, Massion, Meekins, Muller, Eleanor; Miller, George P., Millington, O'Day, Pelletier, Phillips, Richie, Robertson, Salsman, Sawallisch, Scudder, Stream, Tenney, Thurston, Turner, Waters, Watson, Weber, Weybret, Williamsons, Wollenberg, Yorty, and Mr. Speaker—66.

NOES—None.

#### Presentation of Bills for Introduction.

The following bills were presented for introduction, and referred to the Legislative Counsel Bureau:

**Assembly Bill No. 1:** By Mrs. Daley, and Messrs. Houser, Wollenberg, Field, Watson, Lore and Garland—An act to add sections 3.2 and 3.8 to the Unemployment Relief Appropriation Act of 1940, relating to the money available for all forms of unemployment relief declaring the urgency thereof, to take effect immediately.

**Assembly Bill No. 2:** By Messrs. Atkinson, Hawkins, Pelletier and Kilpatrick—An act to amend section 4 of and to add section 4.5 to, an act entitled "An act making an appropriation for the relief of hardship and destitution due to and caused by unemployment and for the administration thereof, providing the condi-

tions and terms upon which any expenditure for such relief may be made and declaring that this act shall take effect immediately," approved May 29, 1940, relating to the expenditure of money appropriated for the relief of hardship and destitution, and declaring that this act shall take effect immediately.

### Introduction and Reference of Bills.

The following bills were reported back from the Legislative Counsel Bureau, and read first time:

**Assembly Bill No. 1:** By Mrs. Daley, and Messrs. Houser, Wollenberg, Field, Watson, Lore and Garland—An act to add sections 3.2 and 3.8 to the Unemployment Relief Appropriation Act of 1940, relating to the money available for all forms of unemployment relief, declaring the urgency thereof, to take effect immediately.

Ordered placed upon the calendar without reference to committee.

**Assembly Bill No. 2:** By Messrs. Atkinson, Hawkins, Pelletier and Kilpatrick—An act to amend section 4 of, and to add section 4.5 to, an act entitled "An act making an appropriation for the relief of hardship and destitution due to and caused by unemployment and for the administration thereof, providing the conditions and terms upon which any expenditure for such relief may be made and declaring that this act shall take effect immediately," approved May 29, 1940, relating to the expenditure of money appropriated for the relief of hardship and destitution, and declaring that this act shall take effect immediately.

Referred to Committee on Social Service and Welfare.

### Senate Message.

SENATE CHAMBER, SACRAMENTO, September 13, 1940.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day elected the following statutory officers of this fifty-third (third extraordinary) session:

President Pro Tempore	Jerrold L. Seawell
Secretary of the Senate	Joseph A. Beck
Sergeant-at-Arms	Joseph F. Nolan
Minute Clerk	James Boyd Garrison
Chaplain	A. Raymond Grant

J. A. BEEK, Secretary of Senate

### Consideration of Assembly Bill No. 1.

#### Request for Unanimous Consent.

**Assembly Bill No. 1**—An act to add sections 3.2 and 3.8 to the Unemployment Relief Appropriation Act of 1940, relating to the money available for all forms of unemployment relief, declaring the urgency thereof, to take effect immediately.

Mrs. Daley asked for, and was granted, unanimous consent to consider Assembly Bill No. 1, at this time, without reference to committee or calendar, and that the same be considered engrossed.

#### Case of Urgency Resolution.

By Mrs. Daley:

*Resolved*, That Assembly Bill No. 1 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, considered engrossed, and placed upon its passage.

Resolution read, and adopted by the following vote:

**AYES**—Allen, Andreas, Atkinson, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Burson, Call, Carlson, Cassidy, Clarke, Collins, Corwin, Cronin, Crowley, Daley, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Fulcher, Gallagher, Gannon, Gilmore, Green, Hawkins, Heisinger, Honser, Johnson, Kellem, Kepple, Kilpatrick, King, Knight, Kuebel, Leonard, Lore, Lyon, Maloney, Massion, Meehan, Miller, Eleanor; Miller, George P., Millington, O'Day, Pelletier, Phillips, Richie, Robertson, Salsman, Sawallisch, Scudder, Sheridan, Stream, Tenney, Thurman, Turner, Waters, Watson, Weber, Weybret, Williamson, Wollenberg, Yorty, and Mr. Speaker—68.

**NOES**—None.

Whereupon, the Speaker declared the provisions of Article IV, section 15, of the Constitution suspended for the purpose of further considering Assembly Bill No. 1, at this time.



**Second Reading of Assembly Bill No. 1.**

**Assembly Bill No. 1**—An act to add sections 3.2 and 3.8 to the Unemployment Relief Appropriation Act of 1940, relating to the money available for all forms of unemployment relief, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Urgency clause read, and adopted by the following vote:

**AYES**—Allen, Andreas, Atkinson, Bashore, Bennett, Burns, Michael J., Burson, Call, Carlson, Cassidy, Clarke, Collins, Corwin, Cronin, Crowley, Daley, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Fulcher, Gallagher, Gannon, Gilmore, Green, Hawkins, Heisinger, Houser, Johnson, Kellems, Kepple, Kilpatrick, King, Knight, Kuchel, Leonard, Lore, Lyon, Maloney, Massion, Meehan, Miller, Eleanor; Miller, George P., Millington, O'Day, Pelletier, Phillips, Richie, Robertson, Salsman, Scudder, Sheridan, Stream, Tenney, Thurman, Turner, Waters, Watson, Weber, Weybret, Williamson, Wollenberg, Yorty, and Mr. Speaker—67.

**NOES**—None.

**Third Reading of Assembly Bill No. 1.**

**Assembly Bill No. 1**—An act to add sections 3.2 and 3.8 to the Unemployment Relief Appropriation Act of 1940, relating to the money available for all forms of unemployment relief, declaring the urgency thereof, to take effect immediately.

**Demand for Previous Question.**

Messrs. Kellems, Houser, Lyon, Atkinson and Field demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1.

Bill read third time, and passed by the following vote:

**AYES**—Allen, Andreas, Atkinson, Bennett, Burns, Hugh M., Burns, Michael J., Burson, Call, Carlson, Cassidy, Clarke, Collins, Corwin, Cronin, Crowley, Daley, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Fuleher, Gallagher, Gannon, Gilmore, Green, Hawkins, Heisinger, Houser, Johnson, Kellems, Kepple, Kilpatrick, King, Knight, Kuchel, Leonard, Lore, Lyon, Maloney, Massion, Meehan, Miller, Eleanor; Miller, George P., Millington, O'Day, O'Donnell, Pelletier, Phillips, Richie, Robertson, Salsman, Sawallisch, Scudder, Sheridan, Stream, Tenney, Thurman, Turner, Waters, Watson, Weber, Weybret, Williamson, Wollenberg, Yorty, and Mr. Speaker—69.

**NOES**—Bashore—1.

Title read and approved. Bill ordered transmitted to the Senate.

**Explanation of Vote.**

I voted against Assembly Bill No. 1 not because I am opposed to necessary appropriations for relief but as a protest because this bill was not properly discussed by the Legislature. Only 20 minutes were consumed in debate and passage of this bill. At this rate \$100,000 per minute was voted on.

L. T. BASHORE.

**Recess.**

At five o'clock p.m., on motion of Mr. Desmond, the Assembly was declared at recess until the hour of eight o'clock p.m.

**Reassembled.**

At eight o'clock p.m., the Assembly reconvened.

Hon. Gordon H. Garland, Speaker of the Assembly, in the chair.

**Senate Message.**

SENATE CHAMBER, SACRAMENTO, September 13, 1940.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

**Senate Concurrent Resolution No. 1**—Relative to the construction of a viaduct between Sacramento and North Sacramento, California.

J. A. BEEK, Secretary of Senate.

**Request for Unanimous Consent.**

Mr. Desmond asked for, and was granted, unanimous consent to consider Senate Concurrent Resolution No. 1, at this time, without reference to committee and calendar.

**Consideration of Senate Concurrent Resolution No. 1.**

**Senate Concurrent Resolution No. 1**—Relative to the construction of a viaduct between Sacramento and North Sacramento, California.

Senate Concurrent Resolution No. 1 read, and adopted by the following vote:

**AYES**—Allen, Burns, Hugh M., Burson, Carlson, Cassidy, Clarke, Collins, Corwin, Cronin, Crowley, Daley, Desmond, Dilworth, Donnelly, Doyle, Evans, Field, Gallagher, Gannon, Gilmore, Green, Hawkins, Heisinger, Johnson, Kilpatrick, Maloney, Massion, Meehan, Miller, George P., O'Day, O'Donnell, Pelletier, Richie, Robertson, Salsman, Sawallisch, Scudder, Sheridan, Stream, Tenney, Thurman, Waters, Watson, Weber, Williamson, Wollenberg, Yorty, and Mr. Speaker—48.

**NOES**—Atkinson, Houser, and Lore—3.

Title read and approved. Bill ordered transmitted to the Senate.

**Senate Concurrent Resolution No. 1.**

Relative to the construction of a viaduct between Sacramento and North Sacramento, California.

**WHEREAS**, The present highway between Sacramento and North Sacramento, California, is subject to flooding during the annually recurring high water period; and

**WHEREAS**, Such flooding virtually cuts off the Air Corps Supply and Repair Depot at North Sacramento from the San Francisco Bay area during stormy seasons, clogs traffic to and from the depot and seriously obstructs the national defense; and

**WHEREAS**, The Secretary of War of the United States has requested the Governor of the State of California to expedite construction of a viaduct to carry highway traffic from the American River Bridge on Auburn Boulevard to a point beyond the levee protecting North Sacramento in order to eliminate the interference caused by floods to operations at the depot; and

**WHEREAS**, It is estimated that the cost of a viaduct such as is requested by the Secretary of War of the United States would be in the neighborhood of \$600,000; and

**WHEREAS**, The Governor and the Director of Public Works of this State are referring the matter to the California Highway Commission with recommendations for favorable action; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly thereof concurring*, That the California Highway Commission is hereby requested to investigate the possibility of finding ways and means of financing the construction of such a viaduct and to commence the construction thereof at the earliest possible moment and to report its findings and actions to the Senate and to the Assembly at the next regular (fifty-fourth) session of the Legislature; and be it further

*Resolved*, That the Secretary of the Senate is hereby directed to transmit a copy of this resolution to the California Highway Commission, through its secretary.

**Committee from the Senate.**

A committee from the Senate consisting of Senators Foley, Mayo and Cunningham, informed the Assembly that they were now ready to adjourn the fifty-third (third extraordinary) session of the Legislature sine die.

**Resolutions.****House Resolution No. 9.**

By Mr. Desmond:

**WHEREAS**, The Assembly has just learned with regret of the death of Hugo Meyer; and

**WHEREAS**, Hugo Meyer was among those persons who by their understanding of the difficult problems which confront legislatures made their tasks easier; and

**WHEREAS**, By his courtesy and consideration in the ordinary contacts of life he endeared himself to the members of the Legislature; and

**WHEREAS**, It is fitting that the Legislature should signalize its sorrow at the passing of this fine man; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Assembly express its grief at the death of Hugo Meyer; and be it further

*Resolved*, That the Chief Clerk of the Assembly is hereby directed to have copies of this resolution suitably prepared and presented to the bereaved family.

**Request for Unanimous Consent.**

Mr. Desmond asked for, and was granted, unanimous consent to consider House Resolution No. 9, at this time, without reference to committee.

House Resolution No. 9 read, and adopted unanimously.



**House Resolution No. 10.**

By Messrs. Crowley and Maloney:

Relative to the death of Benjamin F. Rush.

WHEREAS, The members of the Assembly have learned with a very real sense of regret of the decease of Benjamin F. Rush of Suisun, Solano County, upon the eleventh day of September, 1940; and

WHEREAS, The said Benjamin F. Rush was a former Republican member of the Senate of the State of California, and represented the Fifth Senatorial District, at one time comprising Solano and Napa Counties, from the thirty-six to the forty-seventh sessions of the Legislature, inclusive, a period of twenty-four years; and

WHEREAS, In his passing California lost a citizen esteemed and outstanding alike for his industry and for his talents; and

WHEREAS, His many friends including his former colleagues in the Legislature of the State cherish sentiments of the highest respect for his memory and the example he gave of a life devoted to the public good; now, therefore, be it

*Resolved by the Assembly of the State of California,* That when this body this day adjourns it do so in respect to the memory of Benjamin F. Rush, late member of the Senate; and be it further

*Resolved,* That this body express its profound sympathy to the family of the former Senator from the Fifth Senatorial District, and its own sorrow at his untimely passing; and be it further

*Resolved,* That the Chief Clerk of the Assembly be hereby directed to forward a suitably prepared copy of this resolution to the family.

**Request for Unanimous Consent.**

Mr. Crowley asked for, and was granted, unanimous consent to consider House Resolution No. 10, at this time, without reference to committee.

House Resolution No. 10 read, and adopted unanimously.

**Senate Messages.**

SENATE CHAMBER, SACRAMENTO, September 13, 1940.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

**Assembly Bill No. 1.**

J. A. BEEK, Secretary of Senate.

The above reported bill ordered to enrollment.

SENATE CHAMBER, SACRAMENTO, September 13, 1940.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

**Senate Concurrent Resolution No. 2—**Relative to adjournment sine die of the third extraordinary session of the Fifty-third Legislature of the State of California.

J. A. BEEK, Secretary of Senate.

**Request for Unanimous Consent.**

Mr. Desmond asked for, and was granted, unanimous consent to consider Senate Concurrent Resolution No. 2, at this time, without reference to committee or calendar.

**Consideration of Senate Concurrent Resolution No. 2.**

**Senate Concurrent Resolution No. 2—**Relative to adjournment sine die of the Third Extraordinary Session of the Fifty-third Legislature of the State of California.

Senate Concurrent Resolution No. 2 read, and adopted by the following vote:

**AYES**—Allen, Atkinson, Bashore, Burns, Hugh M. Burns, Michael J. Burson, Carlson, Cassidy, Clarke, Collins, Corwin, Cronin, Crowley, Daley, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Fulcher, Gallagher, Gannon, Gilmore, Green, Hawkins, Heisinger, Houser, Johnson, Kepple, Kilpatrick, Leonard, Lore, Maloney, Massion, Meehan, Miller, George P. Millington, O'Day, Pelletier, Phillips, Richie, Robertson, Salsman, Sawallisch, Scudder, Sheridan, Stream, Tenney, Thurman, Waters, Watson, Weber, Weybret, Williamson, Wollenberg, Yorty, and Mr. Speaker—59.

**NOES**—None.

Title read and approved.

Bill ordered transmitted to the Senate.

**Senate Concurrent Resolution No. 2.**

Relative to adjournment sine die of the third extraordinary session of the Fifty-third Legislature of the State of California.

*Resolved by the Senate of the State of California, the Assembly thereof concurring, That the third extraordinary session of the Fifty-third Legislature of the State of California, which convened at two o'clock p.m. on the thirteenth day of September, 1940, pursuant to a proclamation issued by the Governor of the State of California under date of September 11, 1940, shall adjourn sine die at nine o'clock p.m., September 13, 1940.*

**Resolutions.**

**House Resolution No. 11.**

By Mr. Field:

*Resolved, That the Speaker appoint a committee of three to wait upon the Senate and inform it that the Assembly has concluded its labors and ask if it has any further message to deliver to this body.*

**Request for Unanimous Consent.**

Mr. Field asked for, and was granted, unanimous consent to consider House Resolution No. 11, at this time, without reference to committee. House Resolution No. 11 read, and adopted.

**Appointment of Committee.**

The Speaker appointed Messrs. Field, Heisinger and Robertson as a special committee to inform the Senate that the Assembly was now ready to adjourn the fifty-third (third extraordinary) session sine die.

**House Resolution No. 12.**

By Mr. Yorty:

*Resolved, That the Speaker appoint a committee of three to wait upon His Excellency, Culbert L. Olson, Governor of the State of California, and inform him that the Assembly has concluded its labors and awaits his further pleasure.*

**Request for Unanimous Consent.**

Mr. Yorty asked for, and was granted, unanimous consent to consider House Resolution No. 12, at this time, without reference to committee. House Resolution No. 12 read, and adopted.

**Appointment of Committee.**

The Speaker appointed Messrs. Yorty, Thurman and Dills as a special committee to inform the Governor that the Assembly was now ready to adjourn the fifty-third (third extraordinary) session sine die.

**Reports of Standing Committees.**

**On Engrossment and Enrollment.**

ASSEMBLY CHAMBER, SACRAMENTO, September 13, 1940.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined: Assembly Bill No. 1.

And reports the same correctly enrolled, and presented to the Governor, on this thirteenth day of September, 1940, at eight o'clock and fifty-five minutes p.m.

CASSIDY, Chairman.

**On Social Service and Welfare.**

ASSEMBLY CHAMBER, SACRAMENTO, September 13, 1940.

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred:

Assembly Bill No. 2.

Respectfully reports the same back without further action.

DALEY, Chairman.

**Approval of Journal.**

On motion of Mr. Desmond, the Journal of Friday, September 13, 1940, was approved as corrected by the Minute Clerk.

**Guests Extended Privilege of Assembly Floor.**

On request of Speaker Garland, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and

Mrs. C. Donker of Los Angeles; Mrs. J. Lea of Roseville, and Miss Edna O'Meara of Los Angeles.

On request of Mr. Dilworth, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Albert A. James, Area Supervisor of the Census, Riverside.

On request of Mr. Lyon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Delwin W. Smith, former Sergeant-at-Arms of the Assembly.

### **Reports of Committees.**

The committee appointed to wait upon the Senate appeared before the bar of the Assembly, and reported that the instructions of the Assembly had been carried out.

The committee appointed to wait upon the Governor appeared before the bar of the Assembly, and reported that the instructions of the Assembly had been carried out.

### **Adjournment Sine Die.**

At nine o'clock p.m., Friday, September 13, 1940, in accordance with Senate Concurrent Resolution No. 2, the Honorable Gordon H. Garland, Speaker of the Assembly, announced that the time for final adjournment of the fifty-third (third extraordinary) session of the Legislature of the State of California had arrived, and therefore declared the Assembly adjourned sine die out of respect to the memory of Benjamin F. Rush, former member of the California Legislature.

**JACK CARL GREENBURG,**  
Chief Clerk of the Assembly.

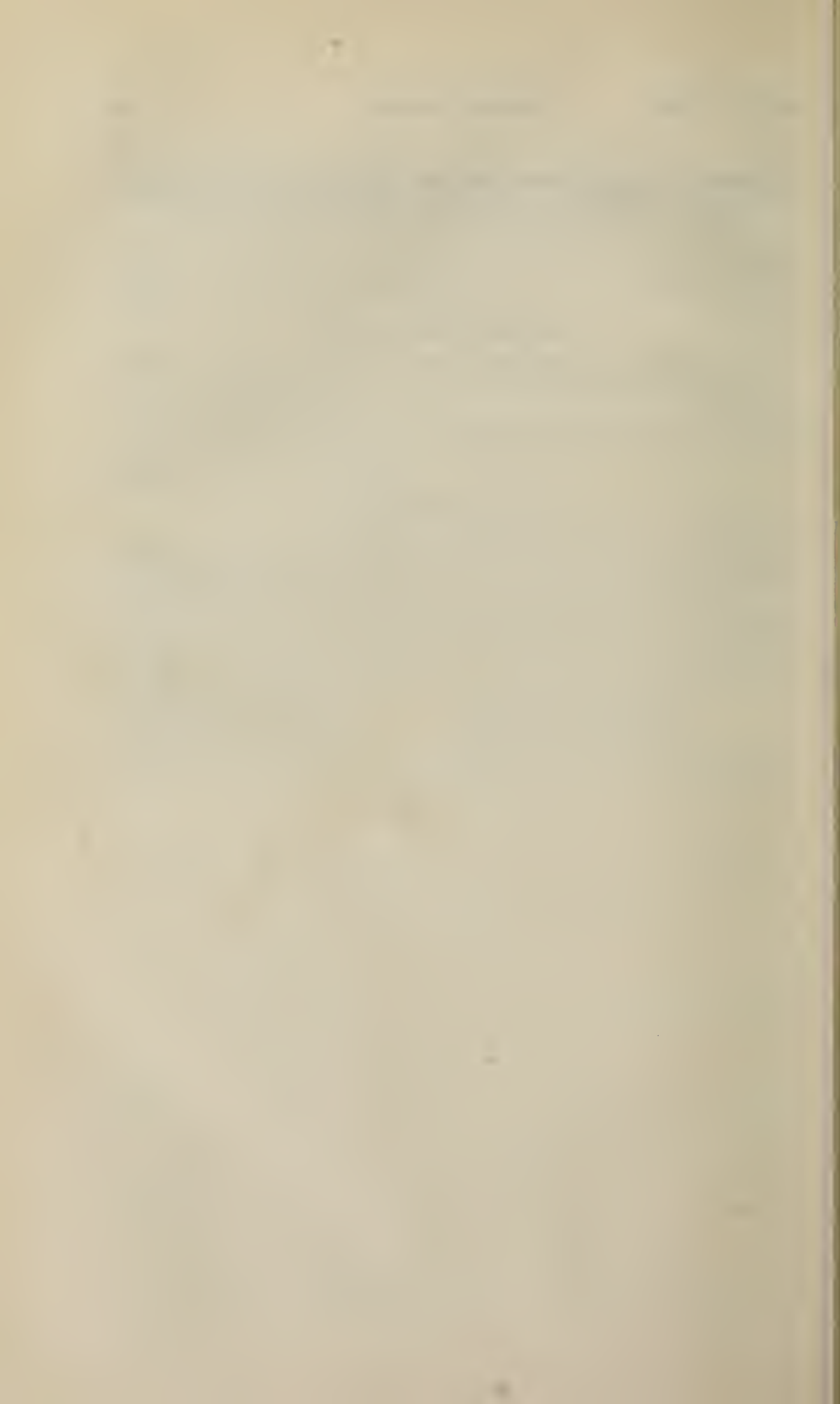
**DAVID V. OLIVER,**  
Minute Clerk of the Assembly.

**GORDON H. GARLAND,**  
Speaker of the Assembly.

**GARDINER JOHNSON,**  
Speaker Pro Tempore of the Assembly.

**ASSEMBLY BILLS APPROVED BY GOVERNOR, CHAPTERED  
AND FILED WITH THE SECRETARY OF STATE**

A. B. Number	Chapter	Author	Subject of Title	Approved by Governor
1	1	Daley, et al.	Appropriation for relief	Sept. 14



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